

URBAN/MUNICIPAL

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URBAN/MUNICIPAL

Agenda / minutes of the
Finance and Administration
Committee for the City of
Hamilton

URBAN/MUNICIPAL
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1992

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NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1992 January 23

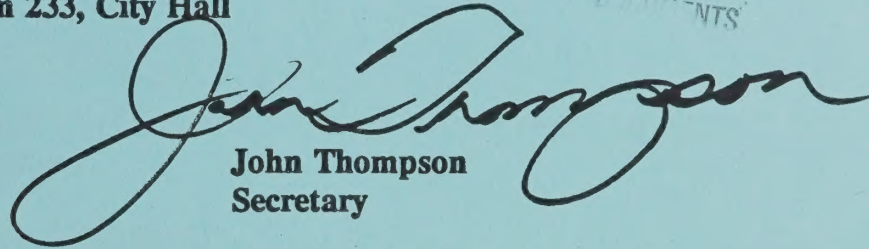
9:30 o'clock a.m.

Room 233, City Hall

URBAN MUNICIPAL

JAN 22 1992

GOV. DOCUMENTS



John Thompson
Secretary

A G E N D A:

9:30 a.m.

1. **DELEGATIONS**

- (a) Presentation by representatives of Tivoli Foundation for the Performing Arts - Loan Guarantee (no copy).
- (b) Alderman D. Wilson - H.S.P.C.A. Service Regarding Animal Traps

2. **CONSENT AGENDA**

3. **KEEP HAMILTON CLEAN COMMITTEE**

Resolution referred back by City Council 1992 January 14 respecting an increase in the citizen composition.

4. **1992 - 1996 CAPITAL BUDGET SUBMISSIONS**

- (a) Housing Department
- (b) Hamilton Parking Authority
- (c) Grants Co-ordinator - 1992 - 1996 Capital Grant Provision

5. **ACTING TREASURER**

Annual Control Agreement H.S.P.C.A.

6. **DIRECTOR OF PROPERTY**

- (a) Lease renewal for Various City Properties Occupied by the Region - Market Survey of rents of downtown office buildings.
- (b) Lease renewal report tabled 1992 January 09 containing recommendations for renewal.

7. **CAPITAL GRANTS CO-ORDINATOR**

Referral from Parks and Recreation Committee to Transfer Grant Funds to Annual Recreational Special Events/Programs

8. **DIRECTOR, CULTURE AND RECREATION**

Urban Design Study - City Hall Grounds.

9. **ALDERMAN D. DRURY**

Temporary Business Tax

10. **APPOINTMENT OF SELECTION COMMITTEE(S) TO CONDUCT INTERVIEWS FOR CITIZEN APPOINTMENTS TO VARIOUS COMMITTEES AND BOARDS**

11. **COMMISSIONER OF HUMAN RESOURCES**

Terms of Employment - School Crossing Guards (Deferred from last meeting pending further information on sick leave provisions.)

12. **PERFORMANCE EXCELLENCE PROGRAMME**

13. **IN CAMERA AGENDA**

14. **OTHER BUSINESS**

15. **ADJOURNMENT**

OUTSTANDING ITEMS

FINANCE & ADMINISTRATION COMMITTEE

1. (a) Policy to exempt Parking Authority from realty and business tax -Budget Meeting 1990 Feb. 23 and Regular Meeting 1990 Mar. 22 (Presently under review by Treasurer)
- (b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account - 1990 March 22 (presently under review by Treasurer).
2. Street Vendors Program - Examine all aspects of the Program and report back to Finance and Administration Committee. Report and recommendations pending from Manager, Licensing Division.
3. Review licence fee and approval process for Transient Traders - Report pending from Manager of Licensing.
4. Hamilton Public Library Board - User Pay Policy and Regionalization of Hamilton Library Services (1990 Aug. 23) - Report pending from Library Board.
5. Council Agenda Line (1990 Aug. 23) - Report pending from Manager of Property Maintenance and Manager of Purchasing.
6. Review Concerns of Mr. J. Zipilli re Flea Market By-law 87-234 (1991 April) - Tabled pending report from Manager of Licence Division.
7. Review Civic Awards regulations to include recognition of cultural achievements (1992 January 09). Staff report pending.

1992 January 20



CITY COUNCIL
HAMILTON, CANADA

1 (b)

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 575-2993 - WARD 4

1991 September 26

SEP 27 1991

Mr. B. Hinkley, Chairman,
Finance and Administration Committee

Dear Mr. Hinkley:

RE: S.P.C.A. SERVICE REGARDING ANIMAL TRAPS


I would like the opportunity to address the above issue in regards to the lack of service provided by the S.P.C.A., when it comes to requests from residents for animal traps. I understand that there is a two to three week waiting period which I find totally unacceptable.

Thank you for your kind attention to this matter. I would appreciate being advised as to the date and time this item will be on the Finance and Administration Committee Agenda.

Yours sincerely,

DAVE WILSON, ALDERMAN,
WARD 4

DW:tb



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FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1992 JANUARY 23

CONSENT AGENDA

A. ADOPTION OF THE MINUTES

- (i) Regular meeting 1992 January 09.
- (ii) Special Meeting 1992 January 14.

B. MAYOR R.M. MORROW

Purchase ad in Kinsmen Magazine for the Mayor's Message on Behalf of City of Hamilton.

C. CITY CLERK

- (i) Civic Awards - St. Thomas More Knights Field Hockey Team (Girls)
- (ii) Appointment to Court of Revision.

D. ACTING TREASURER

- (i) Aquila Place - Phase 2 - Additional Cost
- (ii) Realty and Business Tax Prelevy Mill Rates for 1992.
- (iii) 1992 Capital Expenditure

E. MANAGER OF PURCHASING

- (i) Supply and Delivery of Workers' Uniform Clothing During 1992, Purchasing Stores
- (ii) Security Services for City Hall During 1992, 1993, 1994

F. DIRECTOR CULTURE & RECREATION

Use of Council Chambers and Foyer for Heritage Day Ceremonies

G. COMMISSIONER OF HUMAN RESOURCES

- (i) Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton
- (ii) Salary Classification - General Foreman/woman (Facilities)

H. ACTING DIRECTOR OF PUBLIC WORKS

Additional Repairs to Fire Department Pumper #10, Vehicle #1663.

I. CORRESPONDENCE

H. Title Group - Declaration of City as designated tourist area.

Acid

Thursday, .
9:30 o'clock a.m.
Room 233, City Hall

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairman
Alderman B. Charters, Vice-Chairman
Mayor R. M. Morrow
Alderman T. Cooke
Alderman V. Agro
Alderman E. Drury
Alderman G. Copps
Alderman D. Agostino
Alderman T. Anderson

Also present: Alderman M. Kiss
Alderman D. Wilson
Alderman F. Eisenberger
Alderman T. Jackson
Alderman H. Merling
J. Pavelka, Acting CAO
R. Hammel, Acting Treasurer
D. Carson, Administrative Assistant to the Mayor
C. Coutts, Legislative Assistant
J. D. Thompson, Secretary

1. CONSENT AGENDA

A. Adoption of the Minutes.

The minutes of the following meetings of the Finance and Administration Committee were received and adopted as circulated to the members.

- (i) Public meeting held Thursday, 1991 October 10
- (ii) Regular meeting held Thursday, 1991 October 24
- (iii) Special meeting held Monday, 1991 December 16

B. City Clerk

(a) Civic Awards - Hamilton-Wentworth Aquatic Club

As outlined in reports from the City Clerk dated 1991 October 31 and 1991 December 12, the Committee agreed to submit the following recommendations to City Council for approval

- 1. (b) That Civic Gold Pins be awarded to the following members of the Hamilton-Wentworth Aquatic Club for winning the Provincial Championship for Hamilton in the following categories:

Steve Lysak	-	200 Breast Stroke
Rob McLarty	-	200 Free Relay
Stefan Rappazzo	-	200 Free Relay
Brad Sindrey	-	200 Medley Relay
Kevin Tee	-	200 Free Relay

- (c) That Civic Gold Rings be awarded to the above named swimmers in recognition of their setting Canadian records at a Provincial Championship.
2. That Civic Gold Pins be awarded to the following members of the Hamilton-Wentworth Aquatic Club for winning both the winter (Short Course) and Summer (Long Course) Ontario Age Group Championship team titles in 1991:

Peter Goodacre	Simon Goodacre
Cori Upson	Jason Rappazzo
Erica Morton	Lee Hart
Sarah Vargo	Chris Hill
Kimberly Kerr	Erik Wolf
Maureen McKenna	Gord Marcy
Moiria Carriere	Lisa Bourque
Chelsea Bailey	Jennifer Difilippo
Lisa Marcy	Terri Reid
Amy Lysak	Garth Sindrey
Annemarie Brown	Todd Stratten
Theresa Malar	Greg Johnstone
Heather Davidson	Julie Campbell
Matthew Tee	Laura Lancaster
Kyle Boyko	Tanya Hunks
Trevor Polstra	Amanda Rappazzo
Adrian Gheorgheos	Dayna Bent
Ken Turnbull	Keith Barrett
Steven Hewick	Brandon Robinson
Shannon Clark	Trevor Morton
Sarah Watson	Adina Danila
Amberly Bent	Christine Korneluk
Melissa Hamilton	Carla Difilippo
Michelle Prosek	Cara Higson
Debra Thatcher	Erin Doherty
David Marcy	Aaron Love
Cory Bardossy	Michael Ragona
Jono Hill	
Brian Bond - Coach	Dawn Gilhooly - Coach

(ii) Civic Award - Judo Ontario

As outlined in a report of the City Clerk dated 1991 December 20, the Committee agreed to submit the following recommendation to City Council for approval:

That a Civic Gold Pin be awarded to Brian Cunningham for winning the 1991 Provincial Championship in Judo.

(iii) Neighbour to Neighbour Centre - Use of City Hall Forecourt

As outlined in a report of the City Clerk dated 1991 October 31, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the Neighbour to Neighbour Centre to use the City Hall forecourt on Friday, 1991 November 01 from 11:30 a.m. - 12:00 noon for a Symbolic Protest with regard to G.S.T. and Municipal Taxes.

(iv) National Law Day - Use of Council Chamber

As outlined in a report of the City Clerk dated 1991 October 25, the Committee agreed to submit the following recommendation to City Council for approval:

That permission be granted to the Law Department to use the Council Chamber on Wednesday, 1992 April 15 from 10:00 a.m. - 4:00 p.m. for a "mock" Ontario Municipal Board land rezoning appeal hearing as a special outreach/educational project on National Law Day.

(v) Hamilton Mundialization Committee - Use of Council Chamber

As outlined in a report of the City Clerk dated 1991 November 01, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chamber, City Clerk's foyer, and east and west areas of the second floor foyer and related equipment on Wednesday, 1991 November 20 from 6:00 - 10:00 p.m. by the Hamilton Mundialization Committee for their Fourth Annual World Citizenship Award Ceremony, and in providing temporary parking permits for this event.
- (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activities.

(vi) Montreal Massacre Memorial Committee - Use of Forecourt

As outlined in a report of the City Clerk dated 1991 November 18, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That approval be given to the action taken by the City Clerk in authorizing the City Hall Forecourt and Memorial Garden on Friday, 1991 December 06 from 5:00 p.m. - 6:00 p.m. for a Commemoration Event.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(vii) Women's Inter-Church Council - World Day of Prayer Service

As outlined in a report of the City Clerk dated 1991 November 25, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That permission be granted to the Hamilton and District Women's Inter-Church Council to use the Council Chambers and Room 219 from 7:00 p.m. to 10:00 p.m. on Friday, 1992 March 06 for the 1992 World Day of Prayer Service.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(viii) Chanukah Celebrations - Use of Council Chambers and Balcony

As outlined in a report of the City Clerk dated 1991 December 20, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the use of City facilities to the Jewish Community Centre, Hamilton-Wentworth and Area as follows:

- (i) To place their Chanukah Menorah on the balcony outside the Council Chambers from Friday, November 29 - Monday, 1991 December 9
- (ii) To grant access to the balcony at approximately 7:00 p.m. each evening during this period for a representative of the Jewish Community Centre to light the Menorah.
- (iii) To use the City Hall Council Chambers on Thursday, 1991 December 05 from 3:45 p.m. - 5:00 p.m. for their Chanukah celebrations.

(ix) Hamilton Status of Women Sub-Committee - Use of City Hall Facilities

As outlined in a report of the City Clerk dated 1991 December 20, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the use of the City Clerk's foyer and related equipment on Thursday, 1991 November 28 at 6:00 o'clock p.m. by the Hamilton Status of Women Sub-Committee for a public meeting with regard to the safety audit.

(x) Hamilton Society of Architects - Use of City Hall Facilities

As outlined in a report of the City Clerk dated 1991 November 22, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That approval be given to the action taken by the City Clerk in authorizing the use of the east end, second floor foyer from Monday, 1991 November 25 -Friday, December 06 for the Annual Leather Medal Awards exhibit.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years, providing it does not interfere with any other activity.

(xi) Ukrainian Canadian Congress - Use of City Hall Forecourt

As outlined in a report of the City Clerk dated 1991 November 28, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the Ukrainian Canadian Congress to use the City Hall forecourt on Saturday, 1991 December 07 at 11:00 a.m. for a rally of recognition and joy on the ratification of Ukrainian Independence by referendum.

(xii) City Hall Christmas Carol Program - Use of City Hall Foyer

As outlined in a report of the City Clerk dated 1991 November 28, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the City Hall Christmas Carol Programme to be held in Council Chambers on Wednesday, December 18 at 3:30 p.m. and Friday, December 20 at 8:30 a.m. for rehearsals and the second floor foyer on Friday, December 20 from 9:15 - 10:30 a.m. for the Carol Programme.

(xiii) Ukrainian Independence Day Celebrations - Use of Council Chambers

As outlined in a report of the City Clerk dated 1991 December 04, the Committee agreed to submit the following recommendation to City Council for approval:

That permission be granted to the Ukrainian Canadian Congress to use the Council Chambers on Saturday, 1992 January 25 at 10:30 a.m. for the Ukrainian Independence Day Celebrations.

- (a) That the Ukrainian flag be flown on 1992 January 25 at City Hall.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(xiv) Twin Cities Ceremony - Use of Council Chambers

As outlined in a report of the City Clerk dated 1991 December 09, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chamber on Sunday, 1991 December 08 from 4:00 - 6:00 p.m. for a Twin City Ceremony on the occasion of the visit of the delegation from Sarasota, Florida Twin Cities Association.

(xv) United Voices for Fair Treatment in Child Care - Use of Council Chamber

As outlined in a report of the City Clerk dated 1991 December 10, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the United Voices for Fair Treatment in Child Care to use the City Hall Council Chamber on Thursday, 1991 December 12 from 7:30 p.m. for a Public Forum.

(xvi) Fly the Flag for Canada Press Conference - Use of Meeting Room

As outlined in a report of the City Clerk dated 1991 December 12, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the Fly the Flag for Canada Committee to use meeting room 219 for a press conference on Monday, 1991 December 16 at 10:00 a.m. to unveil the workplan for the Fly the Flag for Canada 1992.

(xvii) Presentation by Jackie Washington and Sonny Johnston - Use of Council Chambers

As outlined in a report of the City Clerk dated 1991 December 20, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the City Clerk in authorizing the use of Council Chambers on Sunday, 1991 December 15 from 7:30 - 9:30 p.m. for a musical presentation by Jackie Washington and Sonny Johnston.

(xviii) Associazione Musicale - Use of Council Chambers

As outlined in a report of the City Clerk dated 1991 December 19, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be granted to the Associazione Musicale:

- (a) To hold a performance in the Council Chambers on Sunday, 1992 January 26 at 3:00 p.m., and,

- (b) To use the Council Chambers on Sunday, January 19 at 6:00 p.m. and Saturday, January 25 at 2:00 p.m. or 6:00 p.m. for rehearsals.

(xix) Request for Resolutions for Consideration at the Annual Federation of Canadian Municipalities Conference

The Committee received a memorandum dated 1991 November 4 from FCM dealing with a request for resolutions for consideration at their annual conference to be held in Montreal 1992 June 5 to 8.

(xx) Nominees of the Hamilton Civic Hospitals Foundation for appointment to the Hamilton Civic Hospitals Board of Directors

As outlined in a report of the City Clerk dated 1991 December 19, the Committee agreed to submit the following recommendation to City Council for approval:

That Mr. Norman B. Preece and Mr. C. Douglas Boothe as nominated by the Hamilton Civic Hospitals Foundation, be appointed to the Hamilton Civic Hospitals Board of Governors for a term to expire 1995 December 31.

(xxi) Board of Education nominees for appointment to the Public Library Board

As outlined in a report of the City Clerk dated 1991 December 19, the Committee agreed to submit the following recommendation to City Council for approval:

That Mrs. Margaret McGillivray and Mr. Robert Philip as nominated by the Board of Education for the City of Hamilton be appointed to the Public Library Board for a term to expire 1994 November 30.

That Mr. Thomas Radigan, as nominated by the Hamilton-Wentworth Roman Catholic Separate School Board, be appointed to the Public Library Board for a term to expire 1994 November 30.

C. Farmers' Market Sub-Committee

(i) Christmas Market Days

As outlined in a report from the Secretary of the Farmers' Market Sub-Committee dated 1991 October 31, the Committee agreed to submit the following recommendation to City Council for approval:

That approval be given to the action taken by the Farmers' Market Sub-Committee in scheduling Market Days throughout 1991/1992 Christmas holidays as follows:

CHRISTMAS WEEK

Monday, 1991 December 23
Tuesday, 1991 December 24
Friday, 1991 December 27
Saturday, 1991 December 28

NEW YEAR'S WEEK

Tuesday, 1991 December 31
Thursday, 1992 January 02
Friday, 1992 January 03
Saturday, 1992 January 04

(ii) 1992 Market Fees

This report was pulled from the Consent Agenda and placed on the Regular Agenda for further discussion.

D. Treasurer(i) Financing of Safety Audit of Hamilton

As outlined in a report of the Treasurer dated 1991 November 08, the Committee agreed to submit the following recommendation to City Council for approval:

That, in accordance with City Council direction 1991 October 29 for the Treasurer to identify the financing method of funding to proceed with the Safety Audit as requested by the Hamilton Status of Women Sub-Committee, the requested funding of \$10,000. be financed from the Current Contingency account, Centre number 24120.

(ii) Gagliano Gardens Subdivision - Additional Cost

As outlined in a report of the Acting Treasurer dated 1992 January 02, the Committee agreed to submit the following recommendation to City Council for approval:

That, as referred to in Section 24 of the First Report of the Transport and Environment Committee for 1992, the City's Share of Services for the completion of Gagliano Gardens Subdivision in the additional amount of \$1,300. be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.

(iii) Financing of Land Acquisitions, T.B. McQueston Park

As outlined in a report of the Acting Treasurer dated 1992 January 03, the Committee agreed to submit the following recommendation to City Council for approval:

That, as referred to in Section 20 of the First Report of the Parks and Recreation Committee for 1992 the amount of \$170,589.24 (subject to taxes and interest adjustments) required to complete the final land acquisition for T.B. McQueston from the Ontario Housing Corporation, be financed from the "5% Land Dedication" Reserve.

(iv) Reimbursement of Legal Fees - Local 288

As outlined in a report of the Treasurer dated 1991 November 25, the Committee agreed to submit the following recommendation to City Council for approval:

That the payment by Local 288 of the Hamilton Professional Firefighters Association of the legal bill of Mr. Stanley Simpson in the amount of \$749., regarding a traffic violation to firefighter Paul Slattery while in performance of his duties, be reimbursed to Local 288 and charged to Unclassified Expenditure account CH55195-240201.

- (v) **Tax Applications Processed Under Section 496(a) of the Municipal Act in Accordance with Bill 59 (Municipal Act Amendment) Chapter 31 Statutes of Ontario, 1988**

As outlined in a report of the Treasurer dated 1991 December 23, the Committee agreed to submit the following recommendation to City Council for approval:

That realty and business tax applications processed under Section 496(a) of The Municipal Act in accordance with Bill 59 (Municipal Act Amendment) Chapter 31 Statutes of Ontario, 1988 in the amount of \$11,560.23 be approved and charged to CH53307-24104 Tax Remissions.

E. **Manager of Purchasing**

- (i) **Purchase of Three (3) 20 Cu. Yd. Refuse Packers, Fleet Services**

As outlined in a report of the Manager of Purchasing dated 1991 December 04, the Committee agreed to submit the following recommendation to City Council for approval:

That a purchase order be issued to Carter G.M. Trucks, Hamilton, in the amount of \$262,208.92 including all taxes, for the purchase of three (3) 20 cu.yd. refuse packers, being the lowest acceptable of five suppliers to bid, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Packers Account No. CH5X504-00101.

- (ii) **Lighting Maintenance, Various Civic Buildings**

As outlined in a report of the Manager of Purchasing dated 1991 December 11, the Committee agreed to submit the following recommendation to City Council for approval:

That a purchase order be issued to MacIntyre Electric (1983) Limited, Hamilton, for lighting maintenance, various civic buildings, to 1994 November 30 being the lowest of three tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through various approved accounts, as follows:

\$3,346. per month during 1992
\$3,451. per month during 1993
\$3,556. per month during 1994

(iii) Electrical Maintenance, Various Civic Buildings

As outlined in a report of the Manager of Purchasing dated 1991 December 11, the Committee agreed to submit the following recommendation to City Council for approval:

That a purchase order be issued to Cipolla's Services Ltd., Burlington, for electrical maintenance, various civic buildings, to 1994 November 30 being the lowest of two tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through various approved accounts, as follows:

\$3,990. per month during 1992

\$4,389. per month during 1993

\$4,828. per month during 1994

(iv) Extension of Agreements

This item was pulled from the Consent Agenda and placed on the Regular Agenda for further discussion.

(v) Supply and Install New Sprinkler System at 125 Barton Street West

As outlined in a report of the Manager of Purchasing dated 1991 December 31, the Committee agreed to submit the following recommendation to City Council for approval:

That a purchase order be issued to Bennett & Wright in the amount of \$226,940., including all taxes, being the lowest tender received, to supply and install a new sprinkler system at 125 Barton Street West, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and this expenditure be financed through Sprinkler Replacement Account No. CF5255-319141001.

F. Director of Property(i) Lease Amending Agreement with Art Gallery of Hamilton

As outlined in a report of the Director of Property dated 1991 October 25, the Committee agreed to submit the following recommendation to City Council for approval:

(a) That the Corporation of the City of Hamilton enter into a Lease Amending Agreement with the Art Gallery of Hamilton, to provide for an equal cost sharing arrangement between the City and the Gallery with respect to the maintenance, major repair or capital replacement of passenger Elevator No. 2, which serves both Art Gallery and City facility patrons alike.

(b) That the Mayor and City Clerk be authorized to execute the Lease Amending Agreement dated 1988 February 24.

(ii) Lease Renewal for Various City Properties Occupied by the Region

This report was pulled from the Consent Agenda and placed on the Regular Agenda for further discussion.

(iii) Sale of Property at 1100 Limeridge Road East to the Municipal Non-Profit (Hamilton) Housing Corporation

As outlined in a report of the Director of Property dated 1991 December 09, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That an Offer to Purchase executed by officials of the Municipal Non-Profit (Hamilton) Housing Corporation on 1991 December 6, and scheduled for closing on or before 1992 May 14, for the purchase of lands known municipally as 1100 Limeridge Road East, be approved and completed. The subject property has a frontage along the southerly limit of Limeridge Road East of 132.339 metres (434.18 feet) by a depth of 88.32 metres/96.88 metres (289.79 feet/317.87 feet) containing 12,058.3 square metres (2.98 acres), shown as Parts 1 and 4 on Plan 62R-9176. Subject parcel forms part of the property known as 1100 Limeridge Road East. The purchase price of \$570,000. be credited to Account Number CH 4X501 00102 (Reserve for Property Purchases).
- (b) That this Offer to Purchase is conditional on:
 - (i) The City entering into an Easement Agreement with the Region in a form satisfactory to the City and the Region for landscaping purposes through a portion of the property being sold described as Part 4 on Plan 62R-9176.
 - (ii) The registration of the said Easement Agreement on title, and
 - (iii) The City's deed to the Purchaser being expressly subject to the registered easement.

(iv) Sale of Easement to the Regional Municipality of Hamilton-Wentworth - East Side of Upper Ottawa Street, South of Limeridge

As outlined in a report of the Director of Property dated 1991 December 09, the Committee agreed to submit the following recommendation to City Council for approval:

That an Offer to Purchase (Easement) Agreement executed by Regional officials on 1991 November 13 and scheduled for closing on or before 1992 March 23 for the purchase by the Region of an easement for the construction and maintenance of a watermain along the easterly limit of Upper Ottawa Street, south of Limeridge (No. 5 Fire Hall), required in conjunction with the Red Hill Creek Expressway, be approved and completed. Subject parcel is shown as Parts 1 and 2 on Plan 62R-11676 containing .057 hectare (0.148 acre). The purchase price of \$30,600. be credited to Account Number CH 4X999 00102 (Reserve for Property Purchases - Other Revenue).

(v) Sale of Part of 1410 Limeridge Road East to The Regional Municipality of Hamilton-Wentworth

As outlined in a report of the Director of Property dated 1991 December 12, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That an Offer to Purchase executed by Regional officials on 1991 November 13 and scheduled for closing on or before 1992 March 23 for the purchase by the Region of part of the property at 1410 Limeridge Road East required for the Red Hill Creek Expressway be approved and completed. Subject parcel is shown as Part 13 on Plan 62R-11426, containing 10,410.1 square metres (2.57 acres). The purchase price of \$12,850. be credited to Account Number CH 4X501 00201 (Reserve for Acquisition of Park Lands - Sales).
- (b) That the Region covenants and agrees that the Transfer/Deed of the lands described in Box 5 of the subject Transfer/Deed from the City to the Region shall be executed by the Region and shall contain the following provisions:
 - (i) The Regional Municipality of Hamilton-Wentworth shall use the lands described in Box 5 of this Transfer/Deed only for the Red Hill Creek Expressway and related or ancillary uses as approved by the Council of The Regional Municipality of Hamilton-Wentworth and for no other purpose unless with the express written consent of The Corporation of the City of Hamilton.
 - (ii) The Regional Municipality of Hamilton-Wentworth covenants and agrees that if The Regional Municipality of Hamilton-Wentworth resolves to dispose of some or all of the lands described in Box 5 of this Transfer/Deed, The Regional Municipality of Hamilton-Wentworth first shall offer the lands to be disposed of to The Corporation of the City of Hamilton at or for the price (or a proportionate amount of the price in the event of the disposition of only some of the said lands) set out in this Transfer/Deed. The benefit of this covenant and agreement is not assignable by The Corporation of the City of Hamilton.
- (c) That the Mayor and City Clerk be authorized to execute the required documentation.

G. Commissioner of Human Resources

(i) Restructuring - Plan Examination Division of Building Department (C-002-092)

As outlined in a report of the Commissioner of Human Resources dated 1991 December 27, the Committee agreed to submit the following recommendation to City Council for approval:

- (ii) Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers' International Association and Ontario Sheet Metal Workers' Conference, Local 537, Hamilton (C-004-092)

As outlined in a report of the Commissioner of Human Resources dated 1991 December 27, the Committee agreed to submit the following recommendation to City Council for approval:

That the contract settlement of the Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers' International Association and Ontario Sheet Metal Workers' Conference, Local 537, Hamilton, be received pursuant to the Fair Wage Policy of the City of Hamilton.

- (iii) The Ontario Industrial Roofing Contractors' Association and Ontario Sheet Metal Workers' Conference of the Sheet Metal Workers' International Association on behalf of Local 537, Hamilton, Ontario and Sheet Metal Workers' International Association (C-005-092)

As outlined in a report of the Commissioner of Human Resources dated 1991 December 27, the Committee agreed to submit the following recommendation to City Council for approval:

That the contract settlement of the Ontario Sheet Metal and Air Handling Group and Sheet Metal Workers' International Association and Ontario Sheet Metal Workers' Conference, Local 537, Hamilton, be received pursuant to the Fair Wage Policy of the City of Hamilton.

- (iv) Appointment To and Terminations From Permanent Positions with the Corporation of the City of Hamilton (C-006-092)

As outlined in a report of the Commissioner of Human Resources dated 1991 December 27, the Committee agreed to submit the following recommendation to City Council for approval:

That the listing of Appointments To and Terminations From Permanent positions with the Corporation to 1991 December 30 attached hereto as Appendix "B" be approved.

H. City Solicitor

Twin Pad Arena - O.M.B. - Legal Fees

As outlined in a report of the City Solicitor dated 1991 December 31, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That the account of Mr. Ian Binnie of McCarthy, Tétrault, dated 1991 December 3, in relation to the Twin Pad Arena OMB hearing, in the total amount of \$68,847.07 be approved for payment.
- (b) That this expenditure be funded from accounts of the Law Department as follows:
- (i) McCarthy and McCarthy, Centre number 55426: \$43,847.07
 - (ii) Legal Miscellaneous - Centre number 55428: \$25,000.00

I. Director of Information Systems

As outlined in a report of the Director of Information Systems dated 1991 December 09, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That the 1992 invoice for \$115,164.38 (plus GST) from Dunn and Bradstreet Software (formerly Management Science America) be authorized for payment from Account CH 5609X-26021 (User Software).

J. Wheelchair Accessible Integrated Taxicabs

As outlined in a report of the Taxi Advisory Committee dated 1991 November 26, the Committee agreed to submit the following recommendation to City Council for approval:

That the request for an investigation of the feasibility of converting City of Hamilton taxicabs to wheelchair accessible taxicabs be referred back to the Finance and Administration Committee with a view to tabling this matter until such time as the Study of Transportation Services for People with Disabilities is completed.

K. Building Commissioner

Development Charges By-law 90-74

This report was pulled from the Consent Agenda and placed on the Regular Agenda for discussion.

L. H.E.C.F.I. - Vacation Pay Entitlement: Non-Union, Part-time Employees

This information report was pulled from the Consent Agenda and placed on the Regular Agenda for discussion.

REGULAR AGENDA**2. English Language Sub-Committee****Membership Composition**

The Committee had before it, a report from the English Language Sub-Committee dated 1991 December 4 recommending that City Council representation on the English Language Sub-Committee be increased from one to two representatives to include the Mayor.

The Sub-Committee indicated that it is honoured to have the Mayor sit on the Sub-Committee, but feels that it is not fair to the Mayor to rely solely on him for Council representation having regard for his heavy workload.

The recommendation of the English Language Sub-Committee was approved in principle and direction was given to canvass the members of City Council to determine if anyone is interested in serving on the English Language Sub-Committee.

3. Aldermanic Appointments to Sub-Committees of the Finance and Administration Committee

The Committee made the following appointments to the various Sub-Committees under its jurisdiction and will submit an appropriate resolution to City Council for information.

(a) Advisory Committee on Equitable Representation on Committees/Boards/Commissions:

Alderman D. Agostino, Alderman B. Charters.

(b) English Language Sub-Committee:

Mayor R. M. Morrow.

The English Language Sub-Committee has requested that Council representation be increased to two (2) representatives to include the Mayor.

(c) French Sub-Committee:

Mayor R. M. Morrow.

The French Sub-Committee would welcome one (1) additional Council representative on the sub-committee.

(d) Hamilton Farmer's Market Sub-Committee:

Alderman D. Agostino.

One (1) member of City Council still required for appointment.

(e) Hamilton Municipal Retirement Fund Committee:

Mayor R.M. Morrow, Alderman T. Anderson, Alderman B. Charters, Alderman D. Ross.

(f) Hamilton Status of Women Sub-Committee:

Alderman D. Agostino, Alderman M. Kiss.

(g) Keep Hamilton Clean Committee:

Alderman D. Wilson.

(h) Strategic Plan Task Force:

Mayor R. M. Morrow, Alderman B. Charters, Alderman G. Copps, Alderman M. Kiss, Alderman D. Ross.

(i) Taxi Advisory Sub-Committee:

Alderman D. Drury.

Two (2) members of City Council still required for appointment.

4. Stallholders' Representatives on the Hamilton Farmers' Market Sub-Committee

As requested in a letter dated 1991 November 26 from Mr. Carmen Misale, Secretary, Hamilton Stallholders' Association, the Committee approved the request of the Hamilton Stallholders' Association to rotate their two representatives on the Hamilton Farmers' Market Sub-Committee to include the Association's President or, in his absence, the Vice President and one member of their Committee.

5. Hamilton Mundialization Committee - Guidelines for Future Twinning City Relationship - Revised Version of Draft #4

The Committee had before it a letter from the President of the Hamilton Mundialization Committee advising that the Committee has reviewed the recommendations made by the Finance and Administration Committee at its meeting held 1991 August 13 and after careful consideration would like to suggest the following amendments:

#7 That no more than one twin city be selected within a two-year period.

#6 That there be a review of each twinning relationship every five years.

As recommended by Alderman Ross, the Committee approved that Item 7 be further amended to read as follows:

"That, under normal circumstances, no more than one twin city be selected within a two-year period."

Following consideration, the Committee agreed to submit the following recommendation to City Council for approval

That, as recommended by the Hamilton Mundialization Committee, approval be given to the following guidelines for future Hamilton twin city relationships, as amended:

- (a) It is desirable that a potential twin city state its intent or plan for mundialization in the twinning contract that is negotiated with the City of Hamilton.
- (b) It is desirable that the potential twin city identify a group within its city to liaise with the Hamilton Mundialization Committee.
- (c) It is desirable that the premiere purpose of twinning should be promotion of grass roots or people exchanges between the cities. This will include a) broad support for the potential twin city relationship within the equivalent cultural community and b) representation and active participation of the equivalent cultural community in Hamilton on the Hamilton Mundialization Committee.
- (d) It is desirable that procedures and mechanisms for the presentation of proposals for twinning by interested parties to City Council be defined and formalized.
- (e) It is desirable that the procedures indicate the point in the selection process of a twin city when a recommendation from the Mundialization Committee is solicited.
- (f) It is desirable that there be a review of each twinning relationship every five years.

- (g) It is desirable that under normal circumstances, no more than one new twin city be selected within a two-year period.
- (h) It is desirable that the respective responsibilities of City Hall and the Mundialization Committee for arrangements for each exchange visit be clearly defined in the planning phase of the visit.

Alderman Agostino submitted that the twinning guidelines should include factors relating to the Human Rights record of a country to be twinned such that it reflects a common level of decency in the treatment of its citizens.

As recommended by Alderman Agostino, the Committee agreed to refer the following recommendations to the Mundialization Committee for consideration:

- (a) That the Mundialization Committee be requested to outline its criteria for selection of a twin city and,
- (b) That the Mundialization Committee be requested to consider the Human Rights of the Country to be twinned.

6. Canadian Football Hall of Fame and Museum Committee

(a) Lease Renewal - Hamilton Municipal Employees' Credit Union Limited

The Committee had before it a memorandum from the Football of Hall of Fame and Museum Management Committee advising that at its meeting held 1991 December 23, the Committee did not concur with the lease renewal terms as outlined in Section 26 of the NINETEENTH report of the Finance and Administration Committee adopted by City Council which included a phasing-in period for the proposed rent increase for the Hamilton Municipal Employees' Credit Union Limited.

Pursuant to the decision of the Management Committee, the Finance and Administration Committee agreed to submit the following resolution to City Council for approval.

- (a) That the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing 1991 November 2 and terminating on 1996 November 1.
- (b) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.
- (c) That rent payable to the Football Hall of Fame be established on the following basis:

Rent payment be adjusted and commence on the second day of 1991 November at a rental of \$6,666.66 per month or \$80,000. per year inclusive of realty taxes which are \$19,254. for 1991.

In addition to rent paid by the Hamilton Municipal Employees' Credit Union Limited, they are also responsible for their share of the operating costs over the base year 1991.

- (d) That the lease provide for a one year notice clause for either party for vacation of the premises.

All amounts payable shall be deemed to be additional rent.

4. Stallholders' Representatives on the Hamilton Farmers' Market Sub-Committee

As requested in a letter dated 1991 November 26 from Mr. Carmen Misale, Secretary, Hamilton Stallholders' Association, the Committee approved the request of the Hamilton Stallholders' Association to rotate their two representatives on the Hamilton Farmers' Market Sub-Committee to include the Association's President or, in his absence, the Vice President and one member of their Committee.

5. Hamilton Mundialization Committee - Guidelines for Future Twinning City Relationship - Revised Version of Draft #4

The Committee had before it a letter from the President of the Hamilton Mundialization Committee advising that the Committee has reviewed the recommendations made by the Finance and Administration Committee at its meeting held 1991 August 13 and after careful consideration would like to suggest the following amendments:

#7 That no more than one twin city be selected within a two-year period.

#6 That there be a review of each twinning relationship every five years.

As recommended by Alderman Ross, the Committee approved that Item 7 be further amended to read as follows:

"That, under normal circumstances, no more than one twin city be selected within a two-year period."

Following consideration, the Committee agreed to submit the following recommendation to City Council for approval

That, as recommended by the Hamilton Mundialization Committee, approval be given to the following guidelines for future Hamilton twin city relationships, as amended:

- (a) It is desirable that a potential twin city state its intent or plan for mundialization in the twinning contract that is negotiated with the City of Hamilton.
- (b) It is desirable that the potential twin city identify a group within its city to liaise with the Hamilton Mundialization Committee.
- (c) It is desirable that the premiere purpose of twinning should be promotion of grass roots or people exchanges between the cities. This will include a) broad support for the potential twin city relationship within the equivalent cultural community and b) representation and active participation of the equivalent cultural community in Hamilton on the Hamilton Mundialization Committee.
- (d) It is desirable that procedures and mechanisms for the presentation of proposals for twinning by interested parties to City Council be defined and formalized.
- (e) It is desirable that the procedures indicate the point in the selection process of a twin city when a recommendation from the Mundialization Committee is solicited.
- (f) It is desirable that there be a review of each twinning relationship every five years.

- (g) It is desirable that under normal circumstances, no more than one new twin city be selected within a two-year period.
- (h) It is desirable that the respective responsibilities of City Hall and the Mundialization Committee for arrangements for each exchange visit be clearly defined in the planning phase of the visit.

Alderman Agostino submitted that the twinning guidelines should include factors relating to the Human Rights record of a country to be twinned such that it reflects a common level of decency in the treatment of its citizens.

As recommended by Alderman Agostino, the Committee agreed to refer the following recommendations to the Mundialization Committee for consideration:

- (a) That the Mundialization Committee be requested to outline its criteria for selection of a twin city and,
- (b) That the Mundialization Committee be requested to consider the Human Rights of the Country to be twinned.

6. Canadian Football Hall of Fame and Museum Committee

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The Committee had before it a memorandum from the Football of Hall of Fame and Museum Management Committee advising that at its meeting held 1991 December 23, the Committee did not concur with the lease renewal terms as outlined in Section 26 of the NINETEENTH report of the Finance and Administration Committee adopted by City Council which included a phasing-in period for the proposed rent increase for the Hamilton Municipal Employees' Credit Union Limited.

Pursuant to the decision of the Management Committee, the Finance and Administration Committee agreed to submit the following resolution to City Council for approval.

- (a) That the City of Hamilton renew the lease at 50 Jackson Street West with the Hamilton Municipal Employees' Credit Union Limited for a period of five (5) years commencing 1991 November 2 and terminating on 1996 November 1.
- (b) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.
- (c) That rent payable to the Football Hall of Fame be established on the following basis:

Rent payment be adjusted and commence on the second day of 1991 November at a rental of \$6,666.66 per month or \$80,000. per year inclusive of realty taxes which are \$19,254. for 1991.

In addition to rent paid by the Hamilton Municipal Employees' Credit Union Limited, they are also responsible for their share of the operating costs over the base year 1991.

- (d) That the lease provide for a one year notice clause for either party for vacation of the premises.

All amounts payable shall be deemed to be additional rent.

- (e) That Section 26 of the Nineteenth Report of the Finance and Administration Committee adopted by City Council 1991 October 29 which included a phasing in plan for the increase in rent be rescinded.

7. Chief Administrative Officer

(a) Information Systems Committee

As outlined in a report of the Chief Administrative Officer dated 1991 December 13, the Finance and Administration Committee agreed to recommend to City Council that on behalf of the City, the Finance and Administration Committee assume the duties and responsibilities presently held by the Information Systems Committee.

(b) Canadian Football Hall of Fame and Museum Leasing to Tenants

The Committee had before it a report of the Chief Administrative Officer dated 1991 December 10 containing the following recommendations:

- (a) That the City lease the Hall of Fame building to the Canadian Football Hall of Fame and Museum for the balance of the 50 year term of the City's present Agreement with the C.F.L. dated July 15, 1968. The proposed Lease would have a term of 27 years - expiring on July 14, 201 and be on the same financial terms as the City's Agreement with the C.F.L. regarding the joint Hall of Fame Management Committee and the Hall of Fame building.

This lease would also have the advantage of enabling the Hall of Fame as Lessee to sublease in its name directly to Tenants with no further Council approval.

- (b) That the Canadian Football Hall of Fame and Museum's Letters Patent be amended to require the majority of its directors to be appointed by the City of Hamilton and the balance of its directors to be appointed by the Canadian Football League, to a maximum of 12 directors (identical to the composition of the present City/C.F.L. Joint Management Committee - this majority would maintain the City's interest in the building).
- (c) That the Hall of Fame's subleasing to tenants commence after the foregoing matters are completed and providing the C.F.L. enters into an Amending Agreement with the City to approve the proposed City Lease to the Hall of Fame and Museum.

Following consideration the Committee agreed to refer this matter back requesting that future leasing arrangements of space in the Football Hall of Fame building be reviewed further and developed in a fashion that will be more acceptable to the Finance and Administration Committee and City Council.

The Committee agreed that City Council should maintain some control over the future leasing of space in the Football Hall of Fame building.

8. Director of Property(a) Former West Avenue School

As outlined in a report of the Director of Property dated 1991 October 28, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That the former West Avenue School Property be made available for occupancy by the Social Planning and Research Council (SPRC) and the Self Help Centre.
- (b) That the Director of Property be authorized to continue negotiating an agreement with the S.P.R.C. and the Self Help Centre, governing their proposed occupancy and covering such issues as term, rental payments, operating cost responsibility and capital improvement responsibility.
- (c) That the details of the agreement be brought back to the Finance and Administration Committee and City Council for approval.

(b) Provision for Cafeteria/Food Services in Hamilton City Hall

As outlined in a report of the Director of Property dated 1992 January 06, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That the current Agreement between the City of Hamilton and Servifood Ltd. (formerly the Canadian National Institute for the Blind) which was approved by City Council on 1959 August 25 by adopting Section 43 of the Board of Control Report be terminated upon the City giving at least sixty (60) days advance notice.
- (b) That approval be given to enter into an Agreement with Carmen's Catering Ltd. for the Provision of Cafeteria/Food Services at Hamilton City Hall. The agreement is to commence on 1992 April 6 at a rental of \$1,000. per month plus 10% of gross sales (estimated at \$300,000. per year) paid quarterly, plus realty and business taxes (estimated at \$8,000. per year). The agreement will be for a period of five (5) years with an option to renew for further periods of three (3) and two (2) years respectively if so decided by the City.
- (c) That the City Solicitor be directed to prepare the Agreement.
- (d) That the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City.

9. Computer Security Renovations Project

As outlined in a report dated 1991 December 17, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That approval be given to proceed with the preparation of the final construction plans and estimates for the construction of the computer room in City Hall including the required automatic Sprinkler system, cooling systems, electrical work and security systems.
- (b) That the Manager of Purchasing be authorized to subsequently issue tenders if the final estimate for the project is within \$500,000.

- (c) That the estimated cost of construction and relocation of the computer be funded as follows:

CF 5255-3191-41001	\$150,000. (Major Maintenance Civic Buildings)
CF 5698-26XX-510XX	\$303,000. (Computer Software)
CF 5200-2688-510011	\$ 47,000. (Computer Security)

- (d) That the restoration (for use by the Support Services Division) of the basement area currently occupied by the computer be submitted for consideration as part of the 1992 capital budget process (estimated cost \$67,000.).

10. Art Gallery of Hamilton Tax Exempt Status

The Committee had before it a copy of a letter dated 1991 December 19 from Jordan Livingston, President of the Art Gallery of Hamilton to Mayor R. M. Morrow formally requesting endorsement of the following resolution:

"RESOLVED THAT the Art Gallery of Hamilton seek exemption from payment of municipal realty taxes through a Private Members' bill to be presented on its behalf to the legislature of the Government of the Province of Ontario".

The Committee agreed to table the request of the Art Gallery of Hamilton pending receipt of a staff report from the Acting CAO and the Acting Treasurer to be considered at a special meeting of the Finance and Administration Committee immediately prior to the City Council meeting on Tuesday, 1992 January 14 at 6:00 o'clock p.m.

11. 1992 - 1996 Provisional Capital Budget

The Committee approved that the following Capital Budget submissions be referred to the Management Team to be reviewed, ranked and considered for inclusion in the 1992 - 1996 Provision Capital Budget and report back to the Finance and Administration Committee with recommendations:

- a. Hamilton Fire Department
- b. Property Department
- c. Human Resources Centre
- d. H.E.C.F.I.
- e. Hamilton Public Library Board
- f. Information Systems
- g. H.S.P.C.A.
- h. City Clerk's Department

12. Hamilton Spectator Indoor Games

The Committee had before it the following recommendation which was adopted by City Council at its meeting held 1991 October 29:

"That the Finance & Administration Committee strongly recommend to the 1992 Council that favourable consideration be given for a grant in the amount of \$50,000 to the Hamilton Spectator Indoor Games to be used to offset the costs associated with the annual event to be held 1992 January 10."

It was suggested that the Committee should exercise more fiscal responsibility in the future with respect to the Grant to the Hamilton Spectator Indoor Games by establishing a new funding formula format such that the City would absorb or cover any deficit up to \$50,000.

Following a consideration, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That a grant be approved in the amount of \$50,000. to the Hamilton Spectator Indoor Games to be used to offset the costs associated with the annual event held 1992 January 10.
- (b) That this expenditure be funded from account CH5A104-2001.

Recorded Vote: Yeas: Mayor Morrow, Aldermen Ross, Cooke, Agro, Drury, Agostino

Nays: Aldermen Copps, Charters, Anderson

13. Grants

(a) Revised 1992 General Grant Process

As outlined in a report of the of the Grants Co-ordinator dated 1992 January 02, the Committee agreed to submit the following recommendation to City Council for approval:

That the process for the 1992 General Grants be as follows:

- (a) The total 1992 current budget appropriation for grants be established at the 1991 level, namely \$600,000.;
- (b) All General Grant applications received by 1991 December 31 are to be summarized along with their 1991 and 1990 Grant history for consideration by the Committee of the Whole of City Council;
- (c) The Committee of the Whole will meet by the end of January 1992, (time permitting) to review the summary of the 1992 General Grant requests along with the grant application, a written or verbal presentation and approve the 1992 General Grant amount which would not be subject to appeals;
- (d) All applicants will be requested to either submit a written submission summarizing their grant request to be forwarded to the Grants Co-ordinator at least 3 days prior to the Committee of the Whole meeting or request a 5-minute presentation to the meeting;
- (e) That the Grants Policy and Procedure be reviewed by the Finance and Administration Committee in light of the above process changes by 1992 June 30.

(b) 1991 Capital Grants

As outlined in a report of the Grants Co-ordinator dated 1991 December 19, the Committee agreed to submit the following recommendation to City Council for approval with the exception of Subsection "C" dealing with the request from the Tivoli Foundation for the Performing Arts which was tabled in order to allow the principals of the Foundation to make a presentation to the Committee at its next regular meeting.

- (a) That a 1991 Capital Grant in the amount of \$12,500. to Hamilton Theatre Inc. be financed from the provision in the approved 1991-1995 Capital Budget;

- (b) That the request to withdraw the Capital Grant application from the Hamilton Bay Sailing Club be approved;

14. Resolutions

The Committee agreed to recommend to City Council that the following resolutions be endorsed:

- (a) Regional Municipality of Hamilton-Wentworth Re: 1992 - The Year for Canada

"Whereas Canada is a nation made up of many different cultures, and;

Whereas Canada is enriched by the diversity of its Regions, and;

Whereas these diversities should be treasured as part of our unique heritage as a nation, and;

Whereas no symbol encompasses our diversity more than our Nation's flag, and;

Whereas 1992 is the year that we celebrate the 125th Anniversary of the Birth of our Nation,

Therefore be it resolved that to celebrate our rich tradition and our future together, let it be proclaimed, 1992 - The Year for Canada, and further;

That all Canadians throughout our Nation be encouraged to "Show the Flag for Canada" throughout 1992, and further;

That every household, school, business, and community organization be encouraged to adopt this resolution and participate in organizing activities to promote confidence and pride among all Canadians, and further;

That this resolution be forwarded to every Canadian Municipality with populations greater than 50,000, encouraging them to endorse and actively support these commitments to Canada by sharing this celebration of our Nation and its flag."

- (b) City of Stoney Creek Resolution No. 19-11 - Sale and Rental of Adult and Triple X-rated Videos

WHEREAS the present legislation is ambiguous with regards to controlling the sale and rental of adult and triple X-rated videos, and

WHEREAS the sale and rental of such videos is unhealthy for the well-being and social development of any Canadian community, and

WHEREAS this type of business is detrimental to the image of conscientious business, and

WHEREAS this type of business is degrading to society, especially to women, and

WHEREAS this type of business may influence the kind of social crimes our society is presently experiencing;

NOW, THEREFORE, BE IT RESOLVED THAT

1. That the City of Stoney Creek petition the federal government (i.e. Minister of Justice) and the provincial government (i.e. the Attorney General) to adopt tougher and tighter conditions to their present obscenity and morality laws that will eliminate the operation of all adult and triple X-rated video sales and rentals, and
2. That the Minister of Municipal Affairs, the Honourable David Cooke, be petitioned to amend section 222 of the *Municipal Act* to specifically include the licensing, regulating, governing, etc., of adult entertainment parlours which rent, offer to rent or display for rent "goods" as described in subsection 9 of the section, and
3. That the Hamilton Wentworth Regional Police be requested to monitor the activities of businesses involved in the sale and rental of adult videos and pornographic magazines and to lay charges where there are violations, where justified.
4. That a copy of this resolution be sent to the executives of the Federation of Canadian Municipalities and the Association of Municipalities of Ontario for endorsement, and
5. That a copy be sent to the local M.P., Shirley Martin; and the local M.P.P., Mark Morrow; and to the Federal Minister of Justice and the Attorney General of Ontario; and to the Regional Municipality of Hamilton-Wentworth; and to all municipalities in Ontario with populations over 25,000.

The Finance and Administration Committee also recommends that the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be notified of this endorsement.

15. Hamilton Hydro Electric System - 1992 Rates

Mary Lou Dingle, Chairman, Mark Mindorff, Vice Chairman (City Appointee) and staff members W. A. Thomas, Assistant General Manager, D. R. Marsales, Chief Engineer and G. Davidson, Secretary-Treasurer, appeared before the Committee to explain rate setting by Hamilton Hydro and specifically the 1992 rates.

The delegation reviewed how rate increases are established, Hamilton Hydro spending and facts and figures relating to Ontario Hydro and Hamilton Hydro.

Ms. Dingle explained that the Hydro rates are established as follows:

1. Each year the Ontario energy board conducts lengthy hearings and makes recommendations.
2. Once it has the Ontario Energy Board recommendations, Ontario Hydro establishes Hydro rates for Ontario for the following year.
3. In the late fall, Ontario Hydro advises Hamilton Hydro (and other utilities in the province) of the increased cost of purchasing power from Ontario Hydro.
4. With this information, Hamilton Hydro determines its rate increase.

Ontario Hydro has raised the cost of power to Hamilton Hydro for 1992 by 11.71%. Hamilton Hydro has raised the cost of power to its customers for 1992 by 11.56%. The increase in the controllable portion of Hamilton Hydro's expenses for 1992 is 6%.

In discussion, it was suggested that the Province of Ontario should be petitioned to allow municipal utilities to purchase power from other sources outside the Province of Ontario.

Following considerable discussion and in consultation with Mr. Mindorff, City's Appointee, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That City Council petition the Government of the Province of Ontario to allow municipal utilities of the Province of Ontario to have the right of first refusal to purchase excess generation from non-utility generation projects (NUG) within their service area..
- (b) That a copy of this resolution be sent to the Association of Municipalities of Ontario and all cities over 50,000 population in the Province of Ontario for their endorsement.

16. Commission of Human Resources - School Crossing Guards

The Committee had before it a report of the Commission of Human Resources dated 1991 December 27 recommending that the terms of employment for School Crossing Guards and Spare Crossing Guards for the years 1992 and 1993 as outlined in Appendix "A" to his report be approved.

The Committee directed that the report be tabled until the next regular meeting on 1992 January 23 in order to give the members of the Committee an opportunity to discuss with the Commission of Human Resources some concerns they have regarding the sick leave provisions in the terms of employment.

17. Consent Agenda Items Polled for Discussion

(a) 1992 Market Fees

The Committee had before it a report of the Farmers' Market Sub-Committee recommending that the Hamilton Farmers' Market fees be increased by 2% effective 1992 January 1.

It was noted that at their meeting of 1991 October 29, the Hamilton Farmers' Market Sub-Committee considered a recommendation from the Market Manager for a 5% increase in Hamilton Farmers' Market fees for 1992 in keeping with inflationary rates for 1992.

Representatives of the Hamilton Farmers' Market Stallholders' Association attended the meeting and requested the Sub-Committee to recommend a 0 increase in stallholders' fees for 1992 in view of reduced sales due to the current economic recession.

It was moved by Alderman Agostino, seconded by Alderman Agro that the Committee approve a 0 increase in stallholders' fees for 1992.

Motion lost on a

Recorded Vote: Yeas: Aldermen Agostino, Agro, Drury

Nays: Aldermen Ross, Charters, Cooke, Copps,
Anderson

The Committee subsequently agreed to submit the following recommendation to City Council for approval.

- (a) That the Hamilton Farmers' Market fees be increased by two percent (2%) as shown in schedules "B" and "1", attached hereto as appendix "A".
- (b) That the City Solicitor be authorized and directed to prepare a by-law to amend By-law 81-180, "To regulate the Hamilton Farmers' Market" to reflect this increase, effective 1992 January 01 for submission to City Council.

(b) **Manager of Purchasing - Extension of Agreements**

Following discussion, the Committee agreed to submit the following recommendation to City Council for approval.

- (a) That the City exercise its option to extend the existing agreements, as follows:
 - i) General Tire Canada, Hamilton, to supply and service tires to 1994 November 30, approved 1991 June 25 Report 12-91, Item 7;
 - ii) Shell Canada Inc., North York, to supply and deliver gasoline and diesel fuels to various locations to 1992 November 30, approved 1990 March 27 Report 9-90, Item 4.
- (b) That these expenditures be financed through various approved accounts.

(c) **Director of Property - Lease Renewal for Various City Properties Occupied by the Region**

The Committee had before it a report of the Director of Property dated 1991 November 8 recommending that the City of Hamilton renew the master lease with the Regional Municipality of Hamilton-Wentworth for a period of three years commencing 1991 December 1 and terminating 1994 November 30 under terms and conditions outlined in the report.

Following consideration, the Committee directed that Mr. Vyce's report be tabled and that he report back at the next regular meeting scheduled for 1992 January 23 explaining the reasons for the disparities/variances in the market value rents outlined in his report.

(d) **Building Commissioner - Development Charges By-law 90-74**

The Committee decided to table Mr. King's report until the next regular meeting on 1992 January 23 for further discussion, particularly with respect to the information section relating to infill construction and conversion.

(e) **H.E.C.F.I. - Vacation Pay Entitlement - Non-Union, Part-time Employees**

The Committee decided to receive the information report of Mr. Gabe Macaluso, Managing Director, H.E.C.F.I. advising that the Board of Directors, at its meeting 1991 November 22, carried the following motion: "That effective 1992 January 01, Non-Union, Part-time employees of H.E.C.F.I. who have completed three years of service, receive a vacation entitlement of 6% rather than the current statutory minimum of 4%.

18. IN-CAMERA AGENDA

The Committee adjourned to deliberate in private session.

Reconvening in open session the Committee agreed to submit the following recommendations to City Council for approval:

AA. That Mr. Joe Pavelka, Acting Chief Administrative Officer and Mr. Doug Lobo, Acting Director of Public Works be placed within the range for the positions, in the appropriate step, for the period during which they carry out the Acting responsibilities.

BB. 1. That the City of Hamilton decline to accept the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 16067/89 dated 1991 October 2.

2. That the City of Hamilton make an Offer to Settle in Ontario Court (General Division) Action No. 16067/89 in the following terms:

- (a) That the damage claim on behalf of Hamish (Jamie) Campbell be assessed in the amount of \$10,000. for General Damages.
- (b) The Family Law Act claim on behalf the Plaintiffs, Elizabeth Campbell, Stuart John Albert Campbell, Susan Roberta Campbell and Colin Campbell be assessed in the amount of \$1,000.
- (c) That pre-judgment interest be paid on the above sums at the rate of 11% per annum.
- (d) That the Plaintiffs receive their Party and Party costs to be agreed or assessed.
- (e) That provided the Defendant by counter-claim Colin Campbell pays \$4,000. of the above noted sums that the City agree that the counter-claim be dismissed without costs.
- (f) That the Plaintiffs obtain the necessary Judge's Orders approving the infant settlement.
- (g) That this offer remain open for acceptance until withdrawn or until the commencement of trial whichever first occurs.

BB. 1. That the City of Hamilton reject the Plaintiffs' Offer to Settle Ontario Court (General Division) Action No. 6893/89, dated 1991 October 21.

2. That the City of Hamilton make an offer to Settle Ontario Court (General Division) Action No. 6893/89, in the following terms:

- (a) That the City of Hamilton pay to the Plaintiffs, John Jeffery Davidson, Harry Davidson and Carol Davidson, the sum of \$2,500. inclusive of all damages, interest and costs.
- (b) That Ontario Court (General Division) Action No. 6893/89 be dismissed without costs.
- (c) That this Offer remain open for acceptance until withdrawn, or until the commencement of Trial, whichever first occurs.

- BB. 1. That the City of Hamilton resolve Ontario Court (General Division) Action No. 16413/89 by the payment to the Plaintiffs, Sao and Miguel Henriques of the sum of \$4,065.20 inclusive of all damages, interest and costs.
2. That the Plaintiffs, Sao and Miguel Henriques, be required to provide the City of Hamilton with a Full and Final Release in a form satisfactory to the Law Department.
3. That Ontario Court (General Division) Action No. 16413/89 be dismissed without costs.
- CC. That Approval be given to implement the **CONFIDENTIAL** Recommendations contained in the Background of the report of the Director of Property dated 1991 November 18 on Security at City Hall, as amended, copies of which have been distributed to all members of City Council under separate cover.

19. **MUNICIPAL LAW SEMINAR**

The Committee adopted the following motion:

"That members of the Finance and Administration Committee interested in doing so, be authorized to attend a Municipal Law Seminar in Waterloo 1992 January 16, entitled "Liability of Councillors, Councils and Staff: How to recognize and avoid it."

ADJOURNMENT

The Committee Meeting was adjourned.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

John Thompson, Secretary
1992 January 16

Tuesday, 199
6:00 p.m.
Rm 233, City

Acid

A special meeting of the Finance and Administration Committee was held to discuss the Art Gallery of Hamilton's request for a tax exempt status.

There were present: Alderman D. Ross, Chairperson
Alderman B. Charters, Vice-Chairperson
Mayor R. M. Morrow
Alderman T. Cooke
Alderman V. Agro
Alderman D. Drury
Alderman G. Copps
Alderman D. Agostino
Alderman T. Anderson

Also present: Alderman F. Eisenberger
Alderman W. McCulloch
Alderman F. D'Amico
J. Pavelka, Acting Chief Administrative Officer
R. Hammel, Acting Treasurer
D. Carson, Mayor's Executive Assistant
J. Schatz, City Clerk
C. Coutts, City Clerk's Department
J. Thompson, Secretary

The Committee was in receipt of a report dated 1992 January 10 as prepared by the Acting Chief Administrative Officer and Acting Treasurer respecting the Art Gallery of Hamilton's request for a tax exempt status.

Mr. Ed Shaker, Vice-President; Mr. Ted Pietrzak, Director; Mr. Robert Ridge, Controller and Mr. Richard Helm, Director and Treasurer of the Art Gallery of Hamilton appeared before the Committee with respect to this matter.

Mr. Shaker, Vice-President, apprised the Committee of the present financial situation of the Art Gallery of Hamilton and the need for an increase in its present operating grant.

Considerable discussion ensued and the following recommendation was made:

That the City apply to the Private Members Bill Committee at the Ontario Legislature to create tax exempt status for the Art Gallery of Hamilton.

Recorded Vote:

Yeas: Mayor Morrow, Alderman Agro, Alderman Agostino.

Nays: Alderman Cooke, Alderman Copps, Alderman Drury, Alderman Anderson, Alderman Ross, Alderman Charters - **Motion Lost**

Further discussion ensued and the Committee approved the following recommendations as contained in the report of the Acting Chief Administrative Officer and Acting Treasurer dated 1992 January 10:

- (a) That the request from the Art Gallery of Hamilton for an exemption from payment of municipal realty taxes be denied; and,

- (b) That the Region of Hamilton-Wentworth's Committee which was set up to evolve a five year plan for operating and capital requirements for the Art Gallery of Hamilton, consider the request from the Art Gallery for an increase in the operating grant.

Recorded Vote:

Yeas: Alderman Cooke, Alderman Copps, Alderman Drury, Alderman Anderson, Alderman Ross, Alderman Charters

Nays: Mayor Morrow, Alderman Agro, Alderman Agostino - **Carried**

There being no further business the meeting then adjourned.

Taken as read and approved,

**ALDERMAN DON ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**J.D. Thompson
Secretary
1992 January 14**

ROBERT M. MORROW
MAYOR



B

January 2nd, 1992

MEMO TO: Mr. John Thompson, Secretary
Finance & Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: THE MAYOR'S MESSAGE ON BEHALF OF
CITY OF HAMILTON IN KINSMEN MAGAZINE

In the past years we have purchased an advertisement in the Kinsmen Magazine complimenting Kinsmen and Kinettes on their service to our community.

RECOMMENDATION: That the City of Hamilton purchase a "Message-of-Support" advertisement for either 1/2 page at the cost of \$535.00 or 1/3 page at a cost of \$455.00. This cost to be charged to Account No. 56302-12001.

RMM/DC/pb.



City Hall
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone : (416) 546-2790
546-2448 (TDD Only)



Hamilton

January 13, 1992

Kinsmen & Kinette Clubs of Canada
Attention: Board of Directors
1920 Hal Rogers Drive
P.O. Box KIN
Cambridge, Ontario
N3H 5C6

*John Thompson
Secy F + D. Kinsmen
For Information of Committee
in conjunction with
magazine ad.
J.M.*

Dear Board of Directors:

We are very pleased to be bidding to hold the 1995 Kinsmen/Kinette National Convention in 1995. On behalf of The City of Hamilton it is a privilege to extend a sincere invitation to your Members.

I can assure you that every effort will be made to provide the best possible atmosphere for this most prestigious event. The services of our Convention Centre, and our Regional Tourism and Convention Services, will be at your disposal. I also would be pleased to assist in making this convention a great success. Hamilton is very proud to be the birthplace of the Kinsmen Club and is very excited at the prospect of hosting the 75th Anniversary Convention in our city.

Hamilton is ideally located on the west end of beautiful Lake Ontario within a day's travel of 100 million people. World famous Niagara Falls is only 50 minutes from Hamilton by car. The population of Greater Hamilton is over 500,000 people who represent a variety of nationalities and cultures and eagerly welcome tourists and convention delegates. We are home to the world renowned McMaster University and also Mohawk College of Applied Arts and Technology. Transportation by rail, car, bus and our Hamilton International Airport is convenient for visitors.

With our many beautiful attractions to explore, some of which include: Hamilton Place Theatre, the Art Gallery, Canadian Football Hall of Fame & Museum, the Farmers' Market, historic Dundurn Castle and Whitehern, Lloyd D. Jackson Square for shopping, our Copps Coliseum and, of course, our magnificent Convention Centre, we have much to offer all within walking distance of the downtown core. We have many outstanding hotels that will make your stay most pleasant.

We would be delighted to welcome the participants of the 1995 Kinsmen/Kinette National Convention to Hamilton and trust your decision may be in our favour.

Yours truly,

Robert Morrow
Mayor
City of Hamilton



City Hall,
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone: (416) 526-2790



The CITY OF HAMILTON Ontario

As the birthplace of the Association of Kin Clubs 71 years ago, the City Council and Citizens of Hamilton take special pride in saying "thank you" to Kinsmen and Kinettes locally as well as across the country for your many contributions to Canadian communities.

Kinsmen and Kinettes are well-known for living up to their motto of "Serving the Community's Greatest Need." Your fund-raising and service activities have helped to make Hamilton — and hundreds of other Canadian cities, towns and villages — a better place to work and to live.

To each and everyone of you, sincerest thanks from the people of Hamilton. Keep up the good work!



ROBERT M. MORROW
Mayor
City of Hamilton, Ontario



City of Thompson

SALUTES ITS KINSMEN!

It is with extreme pleasure that the City of Thompson takes this opportunity to extend our sincere thanks and appreciation to the Kinsmen Club of Thompson.

Kinsmen have been responsible for many projects and improvements within our City that have contributed much to the quality of life we enjoy in Thompson.

The valuable contributions made by our local Kinsmen to the social well-being and development of our community have long been recognized and we look forward to the continued success of the local and national Kinsmen.

**The Citizens and Council
Thompson, Manitoba**

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 January 16

REPORT TO: J. D. Thompson, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: CIVIC AWARDS - ST. THOMAS MORE KNIGHTS
FIELD HOCKEY TEAM (GIRLS)

RECOMMENDATION:

That Civic Gold Pins be awarded to the following members of the St. Thomas More Girls' Field Hockey Team for winning the Provincial High School Championship for 1991:

Anne-Marie Braid	Nikki McGowan
Rachelle Brohman	Cheryl Murray
Carm Cimarrusti	Carolyn Oddi
Lina Cimarrusti	Somer Oddi
Charlene Copps	Kristin Rankin
Melissa Dorey	Stephanie Richardson
Heather Harper	Judy Sahr
Geena Joseph	Erica Scime
Juanita Koo	Lisa Spadafora
Chantale LaChance	Selina Young
Rhonda Lewis	Lisa Zinkewich
Cathy Basciano (Co-Coach)	Audrey Beniach (Co-Coach)



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately \$590.00 to be financed from Account No. CH 56126 84010

BACKGROUND:

Confirmation of this Championship has been received from the Hamilton Sports Council.

CITY OF HAMILTON
- FOR ACTION -

C (ii)

DATE: 1992 January 20

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Appointment to Court of Revision

RECOMMENDATION:

That Mr. Malcolm C. Cline be nominated to the Regional Municipality of Hamilton-Wentworth for appointment to the Court of Revision as the City's representative.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A.

BACKGROUND:

Pursuant to the Regional Municipality of Hamilton-Wentworth Procedural By-law, Area Municipalities are required to nominate individuals as their representatives for consideration as appointees to various Boards.

The City of Hamilton has been requested to propose two (2) representatives for consideration as appointees to the Court of Revision.

Mr. Malcolm Cline (incumbent) is the only citizen who has applied to be considered for appointment by the Region.

34 Cline Ave.South,
Hamilton, Ont. L8S 1W
December 9, 1991

Mr.K.E.Avery,
City Clerk,
City Hall,
Hamilton, Ont.

Re: Appointment to the Court of Revision

Dear Sir;

I would be pleased to be considered for appointment to the Court of Revision for the City of Hamilton.


I have served on this committee for several years with a perfect attendance record;and have enjoyed the opportunity to serve this community as a member.



I have had extensive municipal experience;and I believe that I'm familiar with most of the problems which come before this committee. I am quite prepared to devote the necessary time and attention to all matters which may be considered and heard by this appeal body.

Trusting that my application may receive favourable consideration,

I am,

Yours sincerely,


Malcolm C. Cline



**NOTICE TO CITIZENS
PUBLIC NOTICE**

The Council of the Corporation of the City of Hamilton will be considering the appointment of citizens to the Court of Revision.

The Court of Revision hears complaints dealing with local improvements.

Any citizen wishing to be considered for appointment is requested to forward a resume of qualifications and reasons for wishing to serve, to K.E. Avery, City Clerk, 71 Main Street West, L8N 3T4, no later than Tuesday, 1991 December 17.

Note: Applicants must be residents of the City of Hamilton.

K.E. Avery
City Clerk



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

RECEIVED

NOV 11 1991

Office of the Clerk
119 King Street West, 15th floor
Hamilton, Ontario

Tel. (416) 546-4154
Fax (416) 546-2546
TDD (416) 522-1787

..... Mailing Address
CITY CLERKS
P.O. Box 910, Hamilton, Ontario
L8N 3V1

Refer to File No.

Attention of

Your file No.

1991 November 8

Mr. K. E. Avery
City Clerk
City Clerk's Department
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Sir:

Re: Appointments to Boards

Pursuant to the Regional Municipality of Hamilton-Wentworth Procedural By-law No. R91-123, Section 10.7 (e), the Legislation and Reception Committee shall recommend appointments to Boards and any other special purpose bodies to which Council is required or empowered to appoint representatives.

Attached is a list of the Boards requiring representation, as nominated by the Area Municipalities, whose present term of appointees will expire as of November 30, 1991. It would be appreciated if nominations could be forwarded by **January 3, 1992**.

Feel free to contact Sherry Turpin of my office, at 546-4102, should you require any additional information on these appointments.

Yours truly,

Robert C. Prowse
Regional Clerk

RCP/st
Encl.

cc: C. Coutts, City Clerk's Department

AREA MUNICIPALITY NOMINATIONS TO BOARDS

Note: Representatives on the Conservation Authorities must be a resident of the member Municipality.

- | | | |
|----|---|--|
| 1. | Grand River Conservation Authority | 2 Representatives as nominated
by any of the 6 Area Municipalities |
| 2. | Halton Region
Conservation Authority | 2 Representatives as follows:
Dundas 1
Flamborough 1 |
| 3. | Hamilton Region
Conservation Authority | 17 Representatives as follows:
Ancaster 2
Dundas 2
Flamborough 1
Glanbrook 1
Hamilton 9
Stoney Creek 2 |
| 4. | Niagara Peninsula
Conservation Authority | 3 Representatives as nominated
by any of the 6 Area Municipalities |
| 5. | Wentworth Library | 4 Councillors as follows
Ancaster 1
Flamborough 1
Glanbrook 1
Stoney Creek 1

4 Citizens who shall be a resident as follows:
Ancaster 1
Flamborough 1
Glanbrook 1
Stoney Creek 1 |
| 6. | Court of Revision | 7 Representatives as follows:
Ancaster 1
Dundas 1
Flamborough 1
Glanbrook 1
Hamilton 2
Stoney Creek 1 |

... Cont'd

7. Land Division

8 Representatives as follows:

Ancaster	1
Dundas	1
Flamborough	1
Glanbrook	1
Hamilton	3
Stoney Creek	1

8. Niagara Escarpment
Commission

Representatives as nominated by any of the 6 Area Municipalities. A minimum of 3 nominations will be submitted by the Region to the Minister of the Environment, who will advise of the 1 Regional Appointee selected and the expiry of their term of appointment.

CITY OF HAMILTON
- RECOMMENDATION -


Deci

DATE: 1992 January 16 JAN 16 1992
REPORT TO: Ms. C. Coutts, Secretary
Finance and Administration Committee
FROM: Mr. Roy Hammel
Acting Treasurer

SUBJECT: AQUILA PLACE - PHASE 2 - ADDITIONAL COST

RECOMMENDATION:

That the City's Share of Services for the completion of Aquila Place - Phase 2 subdivision in the additional amount of \$1,300.00 be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.



I.R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

This item will be considered by the Transport and Environment Committee on January 20, 1992. Please refer to the letter of January 7, 1992 from Mr. E.M. Gill, Senior Director, Roads Section, Engineering Department.

c.c. Mr. L. D. Turvey, P.Eng., Commissioner of Transportation
Environmental Services, Attention: Mr. E.M. Gill, Roads Section
Mr. K. Christenson, Secretary, Transport and Environment Committee
Mr. R. Meiers, Public Works Department

JAN 13 1992

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 7
S701-51 D. Christilaw

REPORT TO: K. Christenson, Secretary
Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
Senior Director
Roads Department

SUBJECT: 1991 Servicing Expenditures Related to Subdivisions

RECOMMENDATION:

- a) That the additional funding in the amount of \$1,300 for the City's share of municipal services in "Aquila Place - Phase 2" subdivision be approved.
- b) That the Finance and Administration Committee recommend the source of funding.



E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City's share for services in this development were previously approved by City Council in 1988. Based on the final payments for all of the City's share of services in this subdivision an additional amount of \$1,300 is necessary to cover the City's portion of the roadway costs. Therefore it is being recommended that these funds be approved.

 DVC:kk

cc: Roy Hammell, Acting City Treasurer
cc: J. Thompson, Finance & Administration Committee

PLAN OF:

Aquila Place Phase Two

PART OF LOT 11 - CONCESSION 7 - GEOGRAPHIC TOWNSHIP OF BARTON

ROAD A. INTERSECTION OF

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-HORNBY

NOT IN THE

SCALE 1:1500
DATE 04.15.1988

Aquila Place-Phase 1 - Plan 62M-425

COURT

LATORRE

CERRAR DRIVE

CERRAR DRIVE

AQUILA PLACE

Concession 7

Geographic Township of Barton

PLAN 62M-

Legend:
1. Shaded area represents the proposed subdivision of the land.
2. The area shown in the shaded area is the proposed subdivision of the land.
3. The area shown in the shaded area is the proposed subdivision of the land.

1. Shaded area represents the proposed subdivision of the land.
2. The area shown in the shaded area is the proposed subdivision of the land.
3. The area shown in the shaded area is the proposed subdivision of the land.



Notes:
1. The area shown in the shaded area is the proposed subdivision of the land.
2. The area shown in the shaded area is the proposed subdivision of the land.
3. The area shown in the shaded area is the proposed subdivision of the land.

PESCARA DRIVE

Comments:
1. The area shown in the shaded area is the proposed subdivision of the land.
2. The area shown in the shaded area is the proposed subdivision of the land.
3. The area shown in the shaded area is the proposed subdivision of the land.

Comments:
1. The area shown in the shaded area is the proposed subdivision of the land.
2. The area shown in the shaded area is the proposed subdivision of the land.
3. The area shown in the shaded area is the proposed subdivision of the land.

UPPER WENTWORTH STREET
ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 10 AND 11

part 1 - plan 62R-8729
part 11-12 - section 8ar.7 (e)

part 2 - plan 62R-8729

Surveyor's Certificate:
1. The area shown in the shaded area is the proposed subdivision of the land.
2. The area shown in the shaded area is the proposed subdivision of the land.
3. The area shown in the shaded area is the proposed subdivision of the land.

Surveyor's Certificate:
1. The area shown in the shaded area is the proposed subdivision of the land.
2. The area shown in the shaded area is the proposed subdivision of the land.
3. The area shown in the shaded area is the proposed subdivision of the land.

Instrument 1177567 AS

CITY OF HAMILTON

- RECOMMENDATION -

Dec 11

DATE: 1992 January 17

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. I. R. Hammel
Acting Treasurer

SUBJECT: REALTY AND BUSINESS TAX
PRELEVY MILL RATES FOR 1992

RECOMMENDATION:

- a) That the prelevy residential and non-residential mill rates for 1992 be established at figures slightly below 50% of the 1991 respective mill rates as follows:
- (i) That a real property tax prelevy mill rate of 188 mills be established for 1992 to be billed in two instalments of 94.0 mills each, payable February 28 and March 31, 1992. This prelevy rate represents 49.989% of the 1991 residential mill rate.
 - (ii) That a business tax prelevy mill rate of 221 mills established for 1992 to be billed in one instalment, payable February 28, 1992. This prelevy rate represents 49.949% of the 1991 non-residential mill rate.
- b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1991 charge, to be billed in two equal instalments, payable February 28 and March 31, 1992.



I. R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To enable the City to bill a prelevy of approximately \$207,000,000 in realty and business taxes.

1992 January 17

Mr. J.D. Thompson, Secretary
Finance and Administration Committee - Page 2

BACKGROUND:

For more than twenty years, the Corporation has collected two instalments of real property taxes prior to approval of the annual estimates by City Council.

These instalments of taxes, known as the prelevy, are restricted by the Municipal Act to 50% of the prior year's residential and non-residential public school mill rates for realty and business taxes, respectively.

I have indicated herein the prelevy mill rates for the years 1982 to 1991 inclusive, and the recommended rates for the year 1992.

(a) **REALTY TAXES**

<u>Year</u> (1)	<u>Prelevy Mill Rate</u> (2)	<u>Residential Public School Mill Rate</u> (3)	<u>Prior Year's % of Prelevy Rate of Prior Year's Rate</u> (4)
1982	93.0	187.3379	49.643
1983	102.0	205.4674	49.643
1984	108.0	217.5770	49.638
1985	114.0	229.0207	49.777
1986	121.0	243.6926	49.653
1987	127.0	254.5864	49.885
1988	140.0	281.6820	49.701
1989	149.0	299.2330	49.794
1990	162.0	324.0754	49.988
1991	182.0	364.8300	49.866
Recommended for			
1992	188.0	376.0847	49.989

1992 January 17

Mr. J.D. Thompson, Secretary
Finance and Administration Committee - Page 3

BACKGROUND: continued

(b) **BUSINESS TAXES**

<u>Year</u> (1)	<u>Prelevy Mill Rate</u> (2)	<u>Prior Year's Residential Public School Mill Rate</u> (3)	<u>% of Prelevy Rate of Prior Year's Rate</u> (4)
1982	110.0	220.3975	49.910
1983	120.0	241.7264	49.643
1984	127.0	255.9730	49.615
1985	134.0	269.4360	49.734
1986	143.0	286.6973	49.878
1987	149.0	299.5135	49.747
1988	165.0	331.3906	49.790
1989	176.0	352.0389	49.994
1990	190.0	381.2652	49.834
1991	214.0	429.2117	49.859
Recommended for			
1992	221.0	442.4526	49.949

Accordingly, it is recommended that prelevy rates be established in 1992 at, or near, the 50% maximum of the 1991 rates, as provided by Legislation.

As established in 1976, the City will again prelevy non-metered water and sewer surcharge on behalf of the Region. This prelevy will be approximately 50% of the 1991 charge, divided into two equal instalments, payable February 28 and March 31, 1992.

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Dii

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 20

REPORT TO: Mr. J.D. Thompson, Secretary
Finance and Administration Committee

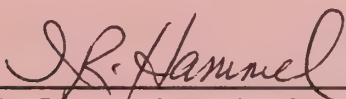
FROM: Mr. Roy Hammel
Acting Treasurer

SUBJECT: 1992 CAPITAL EXPENDITURE

RECOMMENDATION:

- (a) That the 1992 Streetlight Construction Programme, being part of 1992 Road and Sidewalk Reconstruction Programme, be approved and the Public Works Department be authorized to spend up to \$203,000 and this amount be financed from the 1992 capital levy; and
- (b) that the 1992 Road and Sidewalk Reconstruction Programme be approved and the Public Works Department be authorized to spend up to \$2,761,000 and this amount be financed from the 1992 Capital Levy.

Note: The provisional 1992-1996 Capital Budget has a provision for 1992 Road and Sidewalk Reconstruction programme of \$8,120,000 less provincial subsidy of \$2,598,000 in the amount of \$5,522,000 which has traditionally been funded from the six mill capital levy.



I.R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The above items were approved by the Transport and Environment Committee as outlined in the enclosed letter of January 16, 1992 from Ms. Tina Agenello, Secretary, Transport and Environment Committee.

Enclosure

c.c. Mr. J. G. Pavelka, P.Eng., Acting C.A.O.
Mr. D. Lobo, Acting Director of Public Works
Attention: Mr. R. Meiers

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TO: John Thompson, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Tina Agnello, Secretary
Transport and Environment Committee

OUR FILE:
PHONE: 546-2729

SUBJECT: 1992 Capital Budget - Hamilton Hydro
Streetlight Construction Programme

DATE: 1992 January 16

At the Transport and Environment Committee meeting of January 6, 1992, the following resolution was passed:

- (a) That Hamilton Hydro-Electric System's proposed 1992 Streetlight Construction Programme (attached as Schedule "A") be received.
- (b) That the Committee request the approval of the Finance and Administration Committee to spend up to two hundred and three thousand dollars (\$203,000) of the proposed three hundred and sixty-one thousand, five hundred dollars (\$361,500), 1992 Streetlight Construction Programme to allow for Hamilton Hydro-Electric System's preparation and construction to commence prior to final budget approval.

Please take the appropriate action to ensure that the direction of the Transport and Environment Committee is implemented.



Attach.

cc: Alderman H. Merling, Chairperson
J. Pavelka, Acting C.A.O.
D. Lobo, Acting Director of Public Works
N. Adhya, Treasury Department

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TO: John Thompson, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Tina Agnello, Secretary
Transport and Environment Committee

OUR FILE:
PHONE: 546-2729

SUBJECT: **1992 Capital Budget - Hamilton Hydro
Streetlight Construction Programme**

DATE: 1992 January 16

At the Transport and Environment Committee meeting of January 6, 1992, the following resolution was passed:

- (a) That Hamilton Hydro-Electric System's proposed 1992 Streetlight Construction Programme (attached as Schedule "A") be received.
- (b) That the Committee request the approval of the Finance and Administration Committee to spend up to two hundred and three thousand dollars (\$203,000) of the proposed three hundred and sixty-one thousand, five hundred dollars (\$361,500), 1992 Streetlight Construction Programme to allow for Hamilton Hydro-Electric System's preparation and construction to commence prior to final budget approval.

Please take the appropriate action to ensure that the direction of the Transport and Environment Committee is implemented.



Attach.

cc: Alderman H. Merling, Chairperson
J. Pavelka, Acting C.A.O.
D. Lobo, Acting Director of Public Works
N. Adhya, Treasury Department

Approved
THE Jan 6 1992
2.2

CITY OF HAMILTON

- RECOMMENDATION -

DEC 24 1991

DATE: 1991 December 20

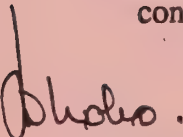
REPORT TO: Ms. T. Agnello, Secretary
Transport and Environment Committee

FROM: Mr. J. G. Pavelka, P.Eng.
Director of Public Works

SUBJECT: 1992 Capital Budget
Hamilton Hydro Streetlight Construction Programme

RECOMMENDATION:

- a) That Hamilton Hydro-Electric System's proposed 1992 Streetlight Construction Programme (attached as Schedule 'A') be received.
- b) That the Committee request the approval of the Finance and Administration Committee to spend up to two hundred and three thousand dollars (\$203,000.) of the proposed three hundred and sixty-one thousand, five hundred dollars (\$361,500.), 1992 Streetlight Construction Programme to allow for Hamilton Hydro-Electric System's preparation and construction to commence prior to final budget approval.



J. G. Pavelka, P.Eng.
Director of Public Works

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The financing for Hamilton Hydro-Electric System's construction works has been included in the past in the streetlight portion of the City of Hamilton Current Budget. Since the majority of this work involves work in conjunction with roadway reconstruction projects, it is recommended that it be included in the Capital Budget this year. It is proposed to include this work as an item in the 1992 City of Hamilton Reconstruction Programme.

BACKGROUND:

Hamilton Hydro-Electric System has submitted a proposed 1992 Construction Programme in the amount of three hundred and sixty-one thousand, five hundred dollars (\$361,500.). The majority of this Programme involves work in conjunction with roadway reconstruction projects, however, funds are also provided for miscellaneous upgrades and spot improvements.

Hamilton Hydro-Electric System has requested that two hundred and three thousand dollars (\$203,000.) of the proposed three hundred and sixty-one thousand, five hundred dollars (\$361,500.) be approved for expenditure prior to final budget approval. With these funds, Hamilton Hydro-Electric System may prepare contracts and undertake pole relocation prior to commencement of road reconstruction.

RPM:bk

Tom

cc: E. C. Matthews, City Treasurer
Treasury Department
ATTN: N. Adhya, Manager of Budgets

J. D. Thompson, Secretary
Finance and Administration Committee

E. M. Gill, Senior Director
Roads Department

November 19, 1991

HAMILTON HYDRO

PROPOSED 1992 STREETLIGHTING CAPITAL CONSTRUCTION PROGRAM

PREAPPROVED PROJECT HIGHLIGHTED *

I ROADWAY PROJECTS

A) Main St. W. - Haddon to Longwood	\$60,000.00 *
B) Main and Kenilworth Intersection - completion of project started 1991	\$10,000.00 *
C) Upper Ottawa and Mohawk Intersection	\$30,000.00 *
D) Stonechurch, Upper Gage to Upper Wentworth	\$15,000.00
E) James Mountain Road	\$36,000.00

II O.E.W. WIDENING

A) South Service Road - Centennial to Burford - new lighting on H.H.E.S. wood poles	\$13,000.00 *
--	---------------

III MOUNTAIN EXPRESSWAY (City's Share of Relocation Cost)

A) Upper Ottawa	\$ 5,000.00 *
B) Upper Sherman	\$ 6,000.00
C) Upper Paradise	\$ 5,000.00

IV ALLOWANCE FOR SPOT IMPROVEMENTS

Per request from Regional Engineering	\$20,000.00 (+ 10 000) *
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V ALLOWANCE FOR MISCELLANEOUS PROJECTS

Projects done conveniently at time of other Hydro work. eg. Conversion to underground, pole line rebuild	\$30,000.00 (+ 15 000) *
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cont'd...

1991 Streetlighting Capital Construction Program

- 2 -

VI RYMAL ROAD

Miles Road to Upper Wentworth \$12,000.00

VII Replacement of Downtown Streetlight Primary Cable \$60,000.00 *

VIII REPLACEMENT OF DEFECTIVE POLES

Various Downtown Locations \$30,000.00

IX MISCELLANEOUS UPGRADES

- Upper Ottawa and Rymal	\$ 500.00
- Limeridge, Upper Wentworth & Kingfisher	\$ 1,000.00
- Guise St., Ferguson to Catharine	\$ 3,000.00
- King St. E., S.S. Greenhill to Centennial Pkwy.	\$ 9,000.00
- Stonechurch, Upper Wellington to Upper Wentworth (fill in)	\$ 5,000.00
- Stonechurch, Upper James to Garth (fill in)	\$10,000.00

TOTAL \$361,500.00
=====

TOTAL PRE APPROVAL \$ 203 000 *

DRM/nc

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TO: John Thompson, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Tina Agnello, Secretary
Transport and Environment Committee

OUR FILE:
PHONE: 546-2729

SUBJECT: **1992 Proposed Road and Sidewalk
Capital Improvement Programme**

DATE: 1992 January 16

At the Transport and Environment Committee meeting of January 6, 1992, the following resolution was passed:

- (a) That the proposed 1992 Road and Sidewalk Capital Improvement Programme in the amount of eight million, one hundred and twenty thousand dollars (\$8,120,000) be received;
- (b) That the Committee request the approval of the Finance and Administration Committee to spend up to two million, seven hundred and sixty-one thousand dollars (\$2,761,000) of the proposed eight million, one hundred and twenty thousand dollars (\$8,120,000), 1992 Road and Sidewalk Capital Improvement Programme to allow for tendering and construction to occur prior to the final budget approval;
- (c) That the Commissioner of Transportation/Environmental Services be authorized to undertake the works on behalf of the City of Hamilton once all necessary approvals have been received.

Please take the appropriate action to ensure that the direction of the Transport and Environment Committee is implemented.

Attach.



cc: Alderman H. Merling, Chairperson
J. Pavelka, Acting C.A.O.
D. Lobo, Acting Director of Public Works
N. Adhya, Treasury Department

CITY OF HAMILTON

- RECOMMENDATION -

DEC 24 1991

2.3

Approved T+E Jan 61
letter to F+A.

DATE: 1991 December 23

REPORT TO: Ms. T. Agnello, Secretary
Transport and Environment Committee

FROM: Mr. J. G. Pavelka, P.Eng.
Director of Public Works

SUBJECT: 1992 Proposed Road and Sidewalk
Capital Improvement Programme

RECOMMENDATION:

- a) That the proposed 1992 Road and Sidewalk Capital Improvement Programme in the amount of eight million, one hundred and twenty thousand dollars (\$8,120,000.) be received; and,
- b) That the Committee request the approval of the Finance and Administration Committee to spend up to two million, seven hundred and sixty-one thousand dollars (\$2,761,000.) of the proposed eight million, one hundred and twenty thousand dollars (\$8,120,000.), 1992 Road and Sidewalk Capital Improvement Programme to allow for tendering and construction to occur prior to the final budget approval; and,
- c) That the Commissioner of Transportation/Environmental Services be authorized to undertake the works on behalf of the City of Hamilton once all necessary approvals have been received.

J. G. Pavelka

J. G. Pavelka, P.Eng.
Director of Public Works

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above "Recommendations".

BACKGROUND:

The Draft 1992 to 1996 Capital Budget makes a provision in the amount of eight million, one hundred and twenty thousand dollars (\$8,120,000.) for the reconstruction of roads and sidewalks in the City of Hamilton in 1992. The estimated subsidy from the Ministry of Transportation is two million, five hundred and ninety-eight thousand dollars (\$2,598,000.) and the net cost for the City is estimated at five million five hundred and twenty-two thousand dollars (\$5,522,000.). The proposed programme for 1992 is divided into the following sections:

- a) Roads and Abutting Sidewalks
- b) Sidewalks on Regional Roads
- c) Sidewalk (Reconstruction and Repair) with Road Resurfacing
- d) Sidewalks Only
- e) Miscellaneous Projects
- f) Supplementary List

The Projects in the Programme are reviewed by the Public Works, Roads, Traffic, Planning, Transportation Departments and the Utility Companies. All of the necessary work on the underground and overhead services will be undertaken prior to or at the time of the road reconstruction. In this regard, under the section of Miscellaneous Projects, we have included Hamilton Hydro-Electric System's proposed Streetlighting Programme, the bulk of which is to be done in conjunction with this Programme.

All streets requiring reconstruction in the Programme have been identified in the latest Road Needs Study as "now deficient" or requiring construction in the next one to five years as per the criteria established by the Ministry of Transportation of Ontario. Those roads requiring construction in the one to five year range will be undertaken in conjunction with sewer/ watermain work as higher priority within the Programme is assigned to streets where storm, sewer and/or watermain construction is proposed by the Region. Through this co-ordination of various construction activities in addition to cost-savings significantly less disruption to the area residents and the travelling public will be achieved.

Based on the above considerations the proposed 1992 Capital Improvement Programme is as shown on attached Schedule 'A'.

RPM:bk

Attch.

cc: E. C. Matthews, City Treasurer
Treasury Department

J. D. Thompson, Secretary
Finance and Administration Committee

E. M. Gill, Senior Director
Roads Department

**CITY OF HAMILTON
1992 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME**

A. Roads and Abutting Sidewalks

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>
Beaucourt Road	West End	Lower Horning	In conjunction with sewer work
Centennial Parkway	Vicinity of Arrowsmith Road		Road Widening
Cline Avenue	Paul	South End	In conjunction with sewer work
Clinton Street	Lottridge	Sherman	In conjunction with sewer work
Crestwood Drive	David	David	In conjunction with watermain work
Dalewood Avenue	Westwood	Haddon	In conjunction with sewer work
David Avenue	Fennell	South Bend	In conjunction with watermain work
Gary Avenue	Dalewood	Westwood	In conjunction with sewer work
Inchbury Street	York	Florence	In conjunction with sewer work
Lower Horning	Harold	Purvis	In conjunction with sewer work
MacNab Street	Mulberry	Stuart	In conjunction with sewer and watermain work
Mericourt Road	Lower Horning	Purvis	In conjunction with sewer and watermain work
Rebecca Street	John	Wellington	In conjunction with sewer and watermain work
Whitney Avenue	Hydro Row	Main	In conjunction with sewer work
Windermere Road	Parkdale	Easterly	asphalt overlay and drainage works
Wood Street	James	Bay	In conjunction with sewer work

B. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>
Kenilworth Avenue	Barton	King	both sides
King Street	Main	Cochrane	both sides
Main Street	Gary	Hwy 403 bridge (east of Paradise)	both sides
Wilson Street	Cathcart	Sanford	both sides

C. Sidewalks (Reconstruction and Repair) with Road Resurfacing

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>
Beach Road	Ottawa	Kenilworth	road resurface, curb and joint repairs (Dofasco cost-sharing)
Bond Street	King	Main	road overlay Independent curbs
Charlotte Street	Montrose	North End	road resurface
Dofasco Road	Beach	Kenilworth	road and curb repairs (Dofasco cost-sharing)
Fieldway Drive	Cardinal	East End	road resurface
Julian Avenue	Britannia	Roxborough	road resurface

D. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>
Park Row	King	Main	
Pearl Street	Bold	C.P. Line	surface treated road

E. Miscellaneous Projects

<u>STREET</u>	<u>LOCATION</u>	<u>COMMENTS</u>
Limeridge Road	Easterly Entrance to Limeridge Mall	Construct Traffic Island
Mount Albion Road	East Side Vicinity of Golf Course	Slope Stabilization
Sanatorium Road	North of Scenic Drive, West Side	Slope Stabilization
Streetlighting	Various Locations	Upgrades In Conjunction with Roadworks

F. Supplementary List (Projects to be done if residual funds are available)

a) Roads and Abutting Sidewalks

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>
Beaucourt Place	Lower Horning	East End	
Cottrill Street	Main	Sanders	
Duncombe Avenue	East 16th	Holt	
East 14th	Inverness	North End	
East 16th	Fennell	Howe	
Macauley Street	John	Wellington	
MacNab Street	Bold	Hurst	
Malta Drive	Montrose	Dunkirk	
Maple Avenue	King	Ottawa	
Montrose Avenue	Kimberly	Rosedale	
Nottingham Avenue	Tenth	Winchester	
Rennie Street	Parkdale	Waterloo	
Sanders Boulevard	West Park	Norfolk	narrow to 9.0 m
Warren Avenue	South Bend	Fennell	

b) Sidewalks (Reconstruction and Repair) with Road Resurfacing

Adair Avenue	Central	Lucerne	road resurface
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c) Sidewalks Only

Emerson Avenue	Ainslie	South End	surface treated road
Jones Street	Dundurn	West End	surface treated road

E (i)

CITY OF HAMILTON
- RECOMMENDATION -

JAN 8 1992

DATE: 1992 January 6

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

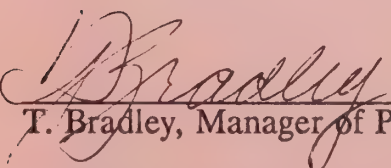
SUBJECT: SUPPLY AND DELIVERY OF WORKERS'
UNIFORM CLOTHING DURING 1992,
PURCHASING STORES

RECOMMENDATION:

That a purchase order be issued to J.P. Hammill & Son Limited, Guelph, for the supply and delivery of Workers' Uniform Clothing to Purchasing Stores as and when required during 1992, being the lowest of eight tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following unit prices, and that this expenditure be financed through Stores Inventory Account CH56103 28999.

Grey Trousers	\$12.75 pair
Short Sleeve Grey Shirts	10.85 ea.
Long Sleeve Grey Shirts	11.85 ea.
Grey Overall Jackets	24.95 ea.
Grey Overall Pants	25.95 pair
Grey Crested Coveralls	24.75 pair

GST extra at 7%. PST extra at 8%



T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: SUPPLY AND DELIVERY OF WORKERS'
UNIFORM CLOTHING DURING 1992,
PURCHASING STORES

Page 2

BACKGROUND: Tender analysis based on estimated usage

Bradshaw Stradwick 1979 Inc., Welland	\$ 48,831.00 *
Anchor Textiles, Toronto	49,306.00 **
Sainthill Uniforms, North York	50,429.70 **
Industrial Textiles Limited, Toronto	62,790.00 **
Nandor Morgenstern's Ent.Ltd., Hamilton	76,120.00 **
J.P. Hammill & Son Limited, Guelph	77,416.25
Starfield Safetywear Mfg. Co., Toronto	97,994.25
Aero Mode Limited, Mississauga	125,392.50

GST extra at 7%. PST extra at 8%

* Incomplete - bid 3 of 6 items ** Incomplete - bid 4 of 6 items

CITY OF HAMILTON

- RECOMMENDATION -

JAN

E(ii)

DATE: 1992 January 7

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: SECURITY SERVICES FOR CITY HALL DURING
1992, 1993, 1994

RECOMMENDATION:

That a purchase order be issued to Burns International Security Services Limited, Hamilton, at the unit rate of \$8.54 per hour for 1992, including all charges, with an option in favour of the City to renew for two additional one year terms at \$8.96 per hour during 1993 and \$9.32 per hour during 1994, including all charges, to provide security services for City Hall, being the lowest of seven tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Security Account No. 31107 56333.


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND: Tender Analysis

Based on 10,600 hours for 1992

Burns International Security Services Limited, Hamilton	\$ 90,524
Barnes Security Services Ltd., Hamilton	92,750
Pinkerton of Canada Ltd., Hamilton	95,294
Hamilton Wentworth Protection Services, Hamilton	95,427
Trojan Security & Investigation Services Ltd., St. Catharines	101,301
Wackenhut of Canada Limited, Mississauga	109,604
Paragon Protection Services, Scarborough	111,300

CITY OF HAMILTON
- RECOMMENDATION -

F

DATE: 1992 January 16

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: R. Sugden, Director
Culture & Recreation

SUBJECT: USE OF COUNCIL CHAMBERS AND FOYER FOR
HERITAGE DAY CEREMONIES

RECOMMENDATION:

That approval be given for the use of the Council Chambers for the purpose of holding the annual Heritage Day ceremony, Monday, February 17th from 11:00 a.m. to 2:00 p.m. and for use of the foyer for displays throughout Heritage Week (February 17-21, 1992).



R. Sugden

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

Each year The Hamilton Historical Board and LACAC co-ordinate the Heritage Day celebrations and proclamation in the City Council Chambers. Displays from associated heritage organizations also have the opportunity to promote themselves through displays in the second floor foyer of City Hall.

CITY OF HAMILTON
- RECOMMENDATION -

G(1)

DATE: 1992 January 16 JAN 16 1992

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations From Permanent
Positions with the Corporation of the City of Hamilton
(C-010-092)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations From Permanent positions with the Corporation to January 13, 1992 be approved.



John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

Attached

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Alan Cochrane	Shop Superintendent	Traffic	Retired	43 years, 3 months	31/12/91
Ms. Helen Davidson	Administrative Assistant III	Public Works	Retired	14 years, 3 months	31/12/91
Ms. Irene Kozak	Stenographer II	Building	Retired	15 years, 7 months	31/12/91
Ms. Carolyn Melia	Hospitality Sales Executive	H.E.C.F.I.	Resigned	3 years	16/12/91
Ms. Lily Milanovic	Administrative Assistant IV	City Clerk's	Resigned	4 months	03/01/92
Mr. Louis Sage	Chief Administrative Officer	Chief Administrative Office	Retired	10 years, 11 months	31/12/91
Mr. Carl VanVeen	Street Sweeper Operator	Public Works	Resigned	1 month	27/12/91

Prepared 13/01/92

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. John Cosentino	Parking Meter Technician (12)	Parking Authority	New Position - Result of Rightsizing	\$32,910.80 to \$35,772.36	01/01/92
Mr. Vince Cosentino	Parking Meter Servicer (10)	Parking Authority	New Position - Result of Rightsizing	\$30,605.64 to \$33,627.52	01/01/92
Mr. Frank Czajkowski	Yard Attendant (14-B)	Public Works	Replacing Mr. R. Williamson - retired	\$31,611.84 to \$32,027.84	30/09/91
Mr. Larry Dilks	Parking Meter Servicer (10)	Parking Authority	New Position - Result of Rightsizing	\$30,605.64 to \$33,627.52	01/01/92
Mr. Dwight Douglas	Sports Facilities Handyperson (13)	Public Works	Replacing Mr. G. Greco - retired	\$31,952.96 to \$32,368.96	31/12/91
Mr. Jeffrey Everets	Parking Meter Servicer (10)	Parking Authority	New Position - Result of Rightsizing	\$30,605.64 to \$33,267.52	01/01/92
Mr. Tony Lau	Budget Co-ordinator (M)	Building	Replacing Mr. F. Reynolds - retired	\$38,705.16 to \$45,542.12	30/12/91

Prepared 13/01/92

THE CORPORATION FOR THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Robert Macaulay	Traffic Service Foreman/Woman (13-A)	Traffic	Replacing Mr. A. Runtjes - retired	\$31,704.40 to \$37,763.96	01/01/92
Mr. Mike Murphy	Truck Driver (13-A)	Public Works	Replacing Mr. A. Berry - returning to former position	\$31,008.64 to \$31,424.64	23/12/91
Mr. Callum Neil	Firefighter I (C-5)	Fire	Replacing Mr. D. Kurceba - resigned	\$49,087.72	01/12/91
Mr. Robert St. Clair	Caretaker (5-C)	Property	Replacing Mr. G. Cino - retired	\$24,601.20 to \$26,741.00	31/12/91

Prepared 13/01/92

G(ii)

CITY OF HAMILTON
- RECOMMENDATION -

JAN 16 1992

DATE: 1992 January 7

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee


FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Salary Classification - General Foreman/woman
(Facilities)
Department of Public Works (C-009-092)

RECOMMENDATION:

That the following salary classification be approved:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
General Foreman/woman (Facilities) (formerly General Foreman/woman- Turf)	Manages and co-ordinates the operations and development of the Hamilton Civic Golf Courses, Lawn Bowling Clubs, outdoor sports facilities and ski hill facilities.	K	\$47,412.56 - \$55,811.08 per annum



J. Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The salary for this position will be met by the current operating budget of the Public Works Department. There will be no change in current staff complement.

BACKGROUND:

On October 29, 1991, City Council approved that the responsibilities associated with the Turf Section of Parks Horticulture be transferred to the Parks Facilities Section of the Public Works Department. This change in organizational structure has also altered the responsibilities of the General Foreman/woman (Facilities) position. While this position will retain responsibility for the management and maintenance of the Golf Courses and Lawn Bowling Clubs, its responsibility has been expanded to include the management and maintenance of all outdoor sports facilities and ski hill operations. The Department of Public

Works has also recommended that the title be modified to General Foreman/woman (Facilities) to better reflect the scope and responsibility of the position. They have referred the position to the Human Resources Centre for salary classification and subsequent approval of the Finance and Administration Committee.

CITY OF HAMILTON
- RECOMMENDATION -

H

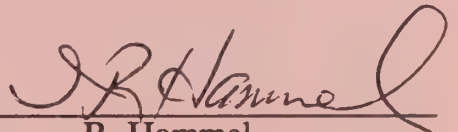
DATE: 1992 January 16 JAN 20 1992
REPORT TO: Mr. John Thompson, Secretary
Finance and Administration Committee
FROM: Mr. D. Lobo
Acting Director of Public Works
SUBJECT: *Request for Additional Repair to Fire Department Pumper # 10
vehicle # 1663.*

RECOMMENDATION:

- (a) That additional repairs to the Truck Frame, Pump House Structure, and Water Tank to Fire Department Pumper # 10 in the additional amount of \$ 4488.65 be approved.
- (b) That this expenditure be charged to Account No. CH 5X522 00103 Reserve for Major Vehicle Repairs.
- (c) That the total repair cost of \$ 58,487.65 to Fire Department Pumper # 10 (including \$ 53,999.00 for the original approved repair expenditure) be added to the original cost (being \$ 109,586.00) of the Pumper # 10 (Vehicle No. 1663) for depreciation purposes.



D. Lobo
Acting Director of Public Works



R. Hammel
Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

As above

BACKGROUND:

The repairs based on the original estimates were awarded to Contran Manufacturing, London Ont., in the amount of \$ 53,999.00 for body restoration on one Triple Combination Pumper.

During the repair process, after the removal of body panels it was found that the complete body structures and water tanks had deteriorated due to rusting. This could not be found until the body panels had been removed during repairs.

As the repairs were in process at Contran Manufacturing London Ont., and after viewing the rusted and deteriorated conditions the most economical repairs at this time would be to replace the complete pumper body frame assembly, repair the existing truck frame and repair the fuel tanks to complete the life cycle of these two pumpers.

As some of the repairs have been completed it would be economically practical to replace the pumper body frame, repair the truck frame and repair the existing water tank for a total additional cost of \$ 4,488.65 including G.S.T. to the original approved repair expenditure for the pumper. The total cost to repair pumper # 10 would then be \$ 58,487.65. It should however, be noted that without the completion of the repairs this Fire Department vehicle would require replacement, as it would be considered unsafe due to deterioration of the body and supports due to rusting.

Replacement cost for this vehicle would be approximately \$ 225,000.00.

c.c. Mr. G. Kerr Manager Fleet Services
Mr. T. Bradley Manager of Purchasing
Mr. G. Baker Fire Chief
Mr. N. McFadyen Assistant Deputy Chief

CITY OF HAMILTON
- FOR ACTION -

I (i)

DATE: 1992 January 20

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

SUBJECT: Designation of the City of Hamilton as Tourist Area

RECOMMENDATION: That the attached correspondence dated 1991 December 18 from H. Title Group, 185 Evans Avenue, Toronto, recommending that the City of Hamilton declare itself a designated tourist area be referred to the Regional Municipality of Hamilton-Wentworth which is responsible for granting exemptions to remain open on Sundays under the Retail Business Holidays Act.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A.

BACKGROUND: Requests for Sunday Shopping under the Retail Business Holidays Act and Store Closing By-Law Exemptions fall under the jurisdiction of the Region.

DEC 31 1991

(416) 259-8251

H. TITLE GROUP185 Evans Ave.,
Toronto, Ontario M8Z 1J5


December 18, 1991

Hamilton City Hall
71 Main St. West
Hamilton, Ontario
L8P 1H4Attention: Mayor Bob Morrow

Dear Sir,

We strongly urge that the City of Hamilton declare itself a designated tourist area to protect its retail community and allow our large Drugstore to continue offering 7 day service.

Yours truly,


H. Title and Staff of
Herbie's Drug WarehouseDISTRIBUTED FOR INFORMATION
TO MEMBERS OF CITY COUNCILJanuary 12
DATE
SIGNATURE*To leave
for committee
+ c.c.*

3

CORPORATION OF THE CITY OF HAMILTON
MEMORANDUM

TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

YOUR FILE:

FROM: Mr. J. J. Schatz
City Clerk
City Clerk's Department

OUR FILE:
PHONE: 546-2727

SUBJECT: Keep Hamilton Clean Committee

DATE: 1992 January 16

Subjoined is a copy of Section 2 of the FIRST report of the Finance and Administration Committee dealing with the composition of the Keep Hamilton Clean Committee which was referred back by City Council at its meeting held 1992 January 14.



c.c. D. Heintz, Secretary, Keep Hamilton Clean Committee

2. (a) That the terms of reference of the Keep Hamilton Clean Committee be revised by increasing the citizen composition to bring the compliment of the Committee from 12 to 19 citizen members.
- (b) That the following citizens be appointed to serve on the Keep Hamilton Clean Committee for a term of office as listed below:

1. Jack R. Brown, 29 Horning Drive, Hamilton, L9C 6L2 1994 Nov. 30
2. Paddy Chitty, 36 Kingsway Drive, Hamilton, L8N 2H2 1994 Nov. 30
3. Sheila N. Church, 65 Rolston Dr., Hamilton, L9C 3X6 1994 Nov. 30
4. William Deeley, 322 Upper Ottawa St., Hamilton, L8T 3S4 1994 Nov. 30
5. Bob Jaggard, 663 Beach Boulevard, Hamilton, L8H 6X8 1994 Nov. 30
6. Ronald J. Kennan, 116 Dunsmure Rd., Hamilton, L8M 1S6 1994 Nov. 30
7. Rick G. Kozuch, Box 423, Station B, Hamilton, L8L 7W2 1993 Nov. 30
8. Fred Loft, 12 Macauley St. West, Hamilton, L8L 1E5 1994 Nov. 30
9. James Monahan, 204-1324 Monterey Ave., Hamilton, L8K 1P4 1993 Nov. 30
10. Bruce Gordon Taylor, 42 Mountain Ave., Hamilton, L8P 4G1 1992 Nov. 30
11. Ronald P. Volterman, 191 Paradise Rd. N., Hamilton, L8S 3T2 1992 Nov. 30

4(a)

CITY OF HAMILTON

-RECOMMENDATION-

DATE: 1992 January 16

REPORT TO: Mr. John Thompson, Secretary
Finance and Administration Committee

FROM: Mr. Mark Mascarenhas
General Manager, Housing Department

SUBJECT: 1992 Capital Budget Submission
(1) Landbanking - Municipal Non-Profit (Hamilton) Housing Corporation
(2) Upgrade Heating & Electrical Systems - Hamilton Housing Company Ltd.

RECOMMENDATION:

That the following Projects be reviewed and considered for inclusion in the Provisional 1992-1996 Capital Budget.

- (1) Landbanking - Municipal Non-Profit (Hamilton) Housing Corporation
- (2) Upgrade Heating & Electrical Systems - Hamilton Housing Corporation Ltd.

Joe Spiller for M. Mascarenhas
Mark Mascarenhas

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- (1) Project #1 is fully recoverable from project -specific mortgage funds within a short time period.
- (2) Project #2 would be financed through City of Hamilton deficit contributions and increased Provincial rent subsidies (the current operating agreement between the Hamilton Housing Corporation and the Ministry of Housing is under renegotiation). The amount and extent of increased Provincial funding at this time is uncertain.

BACKGROUND:

See attached Submission Forms

Attach.

1992-1996 CAPITAL BUDGET INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM

1. DEPARTMENT/LOCAL BOARD: Municipal Non-Profit (Hamilton) Housing Corporation
2. PROJECT NAME: Municipal Non-Profit (Hamilton) Housing Corp. Landbanking for Non-Profit Housing
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:

The establishment of a fund to allow for the acquisition of properties suitable for municipal non-profit projects. Funds will be reimbursed when mortgage funds are received at the time of project commitment by the Ministry of Housing.

Therefore, all expenditures are fully recoverable, including interest. City

Council approved the creation of this landbanking Reserve. See attached document.

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1992
- (b) PROJECT FINISHING DATE (MONTH-YEAR): 1996

5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 5,000,000
- (b) LESS SUBSIDIES AND OTHER RECEIPTS: \$ 5,000,000
- (c) NET CITY'S COST: \$ nil
- (d) ANNUAL CAPITAL FINANCING COST: \$ -
- (e) TOTAL CARRYING COST OF RETIRING DEBT: \$ -
- (f) NATURE OF FINANCING: _____

6. (a) YEAR OF EXPENDITURE - 1992 \$ 2,000,000
- 1993 \$ 1,000,000
- 1994 \$ 1,000,000
- 1995 \$ 500,000
- 1996 \$ 500,000
- 1997 & after \$ _____

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: 30

8. ADDITIONAL ANNUAL OPERATING COST: \$ _____

9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

The Municipal Non-Profit (Hamilton) Housing Corporation will have difficulty obtaining sites. As a result, Hamilton will not be able to develop its fair share of non-profit units which will impact on other City Revenues like Development Charges and Building Permit.

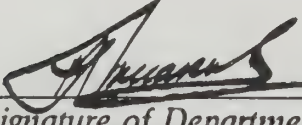
10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☒

Yes ☐

- AT CITY'S COST OF \$ Nil

- SCHEDULED TO START IN THE YEAR _____


Signature of Department Head/Local
Board Manager
(for Standing Committee)

Signature of C.A.O.
(for Finance & Administration
Committee)

Date

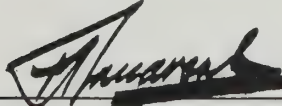
Date

**1992-1996 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM**

1. DEPARTMENT/LOCAL BOARD: Hamilton Housing Company Limited
2. PROJECT NAME: To upgrade heating & electric system - Ada Pritchard Senior Cit
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, Apartmentmen
LOCATION, ETC.:
To upgrade the heating system and modernize the electrical system at the
Ada Pritchard Senior Citizen Apartments.

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1992
(b) PROJECT FINISHING DATE (MONTH-YEAR): 1992
5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 560,000
(b) LESS SUBSIDIES AND OTHER RECEIPTS: \$ _____
(c) NET CITY'S COST: \$ 560,000
(d) ANNUAL CAPITAL FINANCING COST: \$ 91,000
(e) TOTAL CARRYING COST OF RETIRING DEBT: \$ 910,000
(f) NATURE OF FINANCING: _____
6. (a) YEAR OF EXPENDITURE - 1992 \$ 560,000
- 1993 \$ _____
- 1994 \$ _____
- 1995 \$ _____
- 1996 \$ _____
- 1997 & after \$ _____
7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: NIL
8. ADDITIONAL ANNUAL OPERATING COST: \$ NIL
9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS
PROJECT:
Seniors may have to vacate buildings.

10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?
No ☒ Yes ☐ - AT CITY'S COST OF \$ _____
- SCHEDULED TO START IN THE YEAR _____



Signature of Department Head/Local
Board Manager
(for Standing Committee)

Signature of C.A.O.
(for Finance & Administration
Committee)

Oct 18/91

Date

Date

CHAIRMAN:
THOMAS D. ADAMSON

MEMBERS:
ALDERMAN VINCE AGRO
ALDERMAN JOHN GALLAGHER



THE PARKING AUTHORITY
OF THE CITY OF HAMILTON

4(b)

80 MAIN STREET WEST, HAMILTON, ONTARIO L8P 1H6

January 20, 1992

Mr. John Thompson, Secretary
Finance and Administration Committee
Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 1H4

Dear Mr. Thompson:

RE: 1992-1996 CAPITAL BUDGET, PARKING AUTHORITY

Please find attached the Capital Budget for the Parking Authority as approved by the Board at its meeting of November 28, 1991.

The Board of the Parking Authority requests that the Finance and Administration Committee consider these items for inclusion in the 1992-1996 Capital Budget for the City of Hamilton.

Yours sincerely,

Peter G. Baker,
General Manager

**1992-1996 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM**

1. DEPARTMENT/LOCAL BOARD: Parking Authority
2. PROJECT NAME: Study & design of existing & future parking projects.
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:

The Parking Authority needs to be certain that the funds spent to improve Hamilton parking are applied in the most efficient way possible.

Projects of several million dollars need considerable advance planning, research, and design. This project "capitalizes" this necessary activity.

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1992
(b) PROJECT FINISHING DATE (MONTH-YEAR): 1996

5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 300,000
(b) LESS SUBSIDIES AND OTHER RECEIPTS: \$
(c) NET CITY'S COST: \$ 300,000
(d) ANNUAL CAPITAL FINANCING COST: \$ 49,000
(e) TOTAL CARRYING COST OF RETIRING DEBT: \$ 490,000
(f) NATURE OF FINANCING: Reserve

6. (a) YEAR OF EXPENDITURE - 1992 \$ 100,000
 - 1993 \$ 50,000
 - 1994 \$ 50,000
 - 1995 \$ 50,000
 - 1996 \$ 50,000
 - 1997 & after \$

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: 4.0

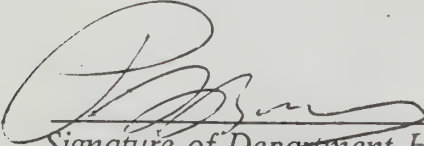
8. ADDITIONAL ANNUAL OPERATING COST: \$ NIL

9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

Effective plans for parking have to be co-ordinated with the growth and changes in the city. Investment in planning properly is worth-while.

10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☐ Yes ☐ - AT CITY'S COST OF \$
- SCHEDULED TO START IN THE YEAR


Signature of Department Head/Local
Board Manager
(for Standing Committee)

Nov 8/91
Date

Signature of C.A.O.
(for Finance & Administration
Committee)

Date

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The dismantling of the floral clock, removal and replanting of the dying tree, and the City Hall grounds feasibility study will all be completed jointly within the existing budgets of the Property, Culture and Recreation, and Public Works Department. The total cost for this work will not exceed \$18,500.00.

City Staff have negotiated the implications of relocating both the floral clock and the dying tree to the satisfaction of the Hamilton Follies Incorporated and the Zonta Club of Hamilton, who have respectively donated to the City the original items that are now to be removed.

BACKGROUND:

The floral clock was originally constructed through the generous donation of \$25,000.00 by the Hamilton Geritol Follies Organization. Since its inception this clock has had a history of very poor performance. The problems are largely associated with the location of the clock which restricts the height and viewing angle, and an inferior quality time-keeping mechanism.

City Staff have reviewed the specific problems associated with the clock in its existing form and location with the Hamilton Follies Incorporated, and both parties agree that this feature should be dismantled and reinstated at T.B. McQuesten Park. The floral clock has been given a position of prominence within the T.B. McQuesten Park Master Plan, and this park will provide an ideal setting for the clock. The new time-piece will be reinstated with the appropriate plaquing and re-dedication ceremonies recognizing the valuable contribution of the Hamilton Geritol Follies organization.

The dying Fir tree was donated by the Zonta Club of Hamilton. City Staff and the Zonta group have not completed the final details with respect to a suitable site for a replacement tree, however, due to the tree's rapid state of decline, it should be removed before there is a serious safety problem.

The City Hall grounds are an important public space for the City and the Region. With the removal of the floral clock, the loss of a number of trees in the last few years, some deteriorating walkways and horticultural areas, and a host of pressures to place memorials and dedications on the grounds, a comprehensive review of the City Hall grounds in terms of the feasibility of this area to absorb additional developments is considered appropriate and timely.

CFE/pw

- RECOMMENDATION -

APPENDIX
"A"

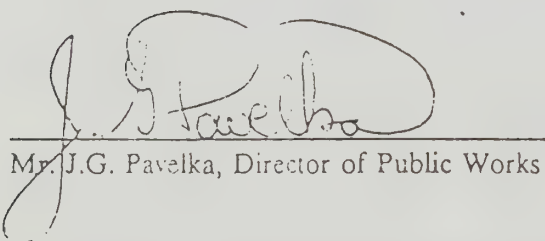
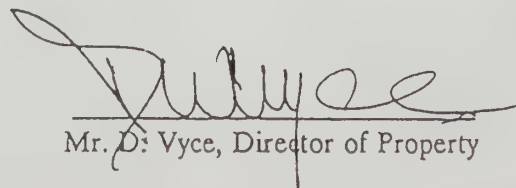
DATE: 1991 September 12

SEP 13 1991

REPORT TO: John Thompson, Secretary
Finance and Administration CommitteeFROM: Mr. J.G. Pavelka, P. Eng.
Director of Public WorksMr. D. Vyce
Director of PropertyMr. R. Sugden
Director of Culture and RecreationSUBJECT: City Hall Grounds

RECOMMENDATION:

- a) That Staff be authorized to dismantle the floral clock located on the City Hall forecourt and to reinstate a floral clock at T.B. McQuesten Park in concert with the development master plan for the park and the interests of Hamilton Follies Incorporated.
- b) That Staff be authorized to remove the dying Fir tree from the City Hall forecourt and to consult with the Zonta Club of Hamilton regarding the location and type of a replacement tree.
- c) That the Directors of the Property, Culture and Recreation, and Public Works Departments be authorized to jointly undertake a Grounds feasibility study for City Hall.


Mr. J.G. Pavelka, Director of Public Works
Mr. R. Sugden, Director of Culture and Recreation
Mr. D. Vyce, Director of Property

selection committee was formed and all nine firms were interviewed on January 15, 1992. Criteria for the assessment of proposals included fee schedule, understanding of the project concept, technical competence, commitment to public participation, experience with similar projects, and the scope of the final report.

Several proposals displayed competitive levels of professionalism and expertise. The firm of A.J. Diamond, Donald Schmitt and Company was unanimously selected, based on its ability to meet the requirements of the Terms of Reference, its outstanding international experience with civic projects of differing sizes and challenges, the qualifications of its design team and the cost efficient quality of its technical resources. In addition, the firm is in partnership with Karen Mills (Anthony Mills Fine Art Ltd.), an experienced public art consultant who is a Hamilton resident, well acquainted with the site and familiar with the arts community (Appendix C). On the basis of technical competence alone, this firm is recommended.

The preparation of the study will take approximately ten weeks and the principal staff liaison person for the project will be Cheryl York, Arts Co-ordinator.

Attachments

- Appendix A - Recommendation of September 12, 1991
- Appendix B - List of firms submitting proposals
- Appendix C - Excerpts from the A.J. Diamond/Donald Schmitt and Co. proposal

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 16

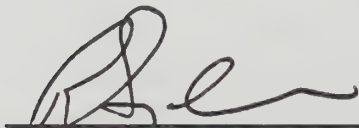
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: R. Sugden, Director
Culture & Recreation

SUBJECT: URBAN DESIGN STUDY, CITY HALL GROUNDS

RECOMMENDATION:

That the firm of A.J. Diamond, Donald Schmitt and Company be approved as consultant for the preparation of the Urban Design Study, City Hall Grounds.



R. Sugden

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The study will be collaboratively financed within existing budgets of the three participating departments: Culture & Recreation, Public Works, Property and Real Estate. Cost of the study is not to exceed \$15,000.

BACKGROUND:

In September 1991, City Council (Appendix A) approved the hiring of a consulting firm to produce a plan for the redevelopment of City Hall grounds. The need for such a study became apparent when changes occurred to the property (removal of aging horticultural elements, removal of the floral clock) and as applications for the siting of donated sculptures were received (Ukrainian Canadian Monument; Irving Zucker sculptures). It was also recognized that the function of the grounds and the importance of the civic property to the citizens of this community should be evaluated and addressed.

Terms of Reference were prepared and a call for proposals was issued in December 1991. By the January 3, 1992 deadline, nine proposals were received (listed in Appendix B). A

BACKGROUND:

Subsection C of Section 5 of the Nineteenth Report of the Parks and Recreation Committee approved by City Council October 8, 1991 states the following:

"That the Finance and Administration Committee be requested to transfer the base budget of the on-going/annual special events to the Events - Current Budget of Culture and Recreation, administered by the Special Events Co-ordinator".

The Finance and Administration Committee tabled this issue at their meeting October 24, 1991 at the request of the Grants Review Group. This would allow the Grant Review Group to review the grants which would apply to the above noted recommendation.

On the advise of the Director of Culture and Recreation and the concurrence of the Grants Review Group, the organizations listed in the recommendation would apply to the base transfer. These groups all have direct recreational staff involvement on an operational basis i.e. recreational staff assist in developing plans for the events and provide some direction for the group.

There were two other groups recommended to be a part of this base transfer, namely Drum Corps International and Creative Arts concerning Earthsong and Festival of Friends. Apparently Drum Corps International will not be holding their competition in Hamilton in 1992. With respect to Creative Arts, the Regional Municipality has approved "Celebrate '92" which will provide \$600,000 to promote and develop at least five festivals including Earthsong and Festival of Friends. With this Regional program there will be no City funding for these festivals.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 16

REPORT TO: Mr. J. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D.K. Beattie
Grants Co-Ordinator

SUBJECT: REFERRAL FROM PARKS AND RECREATION
COMMITTEE TO TRANSFER GRANT FUNDS TO
ANNUAL RECREATIONAL SPECIAL
EVENTS/PROGRAMS

RECOMMENDATION:

The Grants Review Group has met and respectfully recommends:

- a) that the following 1991 Grant base funds be transferred to the Special Events component of the Recreation budget for implementation in 1992 on the basis that recreational staff have a direct operational involvement in the groups activities:

Around the Bay Road Race	\$ 5,000
Folk Arts Heritage Festival	25,000
Santa Claus Parade	18,400
Catholic Youth Organization	12,810
First Place (Seniors)	<u>6,500</u>
	<u>\$67,710</u>

- b) that the Grants total budget be reduced by \$67,710 to \$532,290 for 1992.


D.K. Beattie, Grants Co-ordinator

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- See above recommendations - essentially there will be a base transfer from the Grants Budget to the Recreational Budget in the total amount of \$67,710.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

In adopting Item #11 of the 1st Report of the Finance Committee, City Council on December 14, 1981, approved the lease renewal with the Region for the space they occupy in City owned buildings.

The lease was for a three (3) year term commencing December 1, 1982 and terminating November 30, 1985.

In adopting Item 25, City Council in 1986 renewed the lease for the additional three (3) years (December 1, 1986 to November 30, 1988).

In adopting Item 3, City Council, 1988, renewed the said lease for an additional three (3) years (December 1, 1988 to November 30, 1991).

This department commenced negotiations with the Regional Finance Department. The rates reflected in the recommendations are an increase of 10% over the previous term and are fair and equitable. The rental rates do not include realty taxes as these properties are exempt from taxes.

The Regional Finance Department requested a phase in of the 10% increase due to their anticipated budget problems in 1992. This request was discussed with Mr. Matthews and it is both our opinions that a reduction or phase in of the 10% rent increase could not be supported as the increase represents a 3.3% average increase per year over the past three (3) year term and, as a result, is more than fair.

c.c. Mr. Lou Sage, Chief Administrative Officer
Mr. W. M. Carson, Chief Administrative Officer
Mr. E. C. Matthews, Treasurer
Mr. G. W. Lawson, Treasurer and Commissioner of Finance
Mr. L. Dale Turvey, Commissioner of Transportation and
Environmental Services
Attention: Mike Spenser
Dr. Fran Scott, Medical Officer of Health
Attention: Dan McInniss
Mrs. P. Noé Johnson, City Solicitor

CITY LEASE TO HAMILTON-WENTWORTH REGIONAL HEALTH UNIT AND SOCIAL SERVICES

74 Hughson Street South
15 Hunter Street East
Kenilworth Avenue North Composite Building
Upper Wentworth Composite Building - 777 Upper Wentworth Street

<u>HEALTH DEPARTMENT</u>	<u>TOTAL</u>
(i) December 1, 1991 to November 30, 1994 <u>Kenilworth Avenue North - First Floor</u> 1,484 sq. ft. @ \$7.15 per sq. ft. per annum	\$ 10,610.60 per annum
(ii) <u>Upper Wentworth Composite Building</u> 6,200 sq. ft. @ \$8.80 per sq. ft. per annum	\$ 54,560.00 per annum
TOTAL:	<u>\$ 65,170.60</u>

<u>SOCIAL SERVICES</u>	
(i) <u>74 Hughson Street South - First Floor</u> 5,032.75 sq. ft. @ \$12.65 per sq. ft. per annum	\$ 63,664.28 per annum
(ii) <u>15 Hunter Street East - Second & Third Floor</u> 13,622 sq. ft. @ \$10.45 per sq. ft. per annum	\$142,349.90 per annum
TOTAL:	<u>\$206,014.18</u>

Note: It is expected the Region may vacate their space at the Hughson Street, Kenilworth Avenue and Upper Wentworth Street locations in 1992 or early 1993.

In addition to rent paid by the Region and the Board of Health, they are both responsible for their proportionate share of the increase in operating costs over the Base Year of 1990.

All amounts payable shall be deemed to be additional rent.


D. W. Vyce

ENGINEERING DEPARTMENT

(i)	December 1, 1991 to November 30, 1994	
	7th Floor - East Wing - 2,858 square feet	\$ 40,869.40
	2,858 sq. ft. @ \$14.30 per sq. ft. per annum	per annum
(ii)	6th Floor - Full Floor - 9,029 square feet	\$129,114.70
	9,029 sq. ft. @ \$14.30 per sq. ft. per annum	per annum
(iii)	5th Floor - East Wing - 2,933 square feet	\$ 41,941.90
	2,933 sq. ft. @ \$14.30 per sq. ft. per annum	per annum
(iv)	Basement Vault - Jointly by City and Region	
	800 square feet	\$ 4,400.00
	800 sq. ft. @ \$5.50 per sq. ft. per annum	<u>per annum</u>
Total Engineering Department.....		<u>\$216,326.00</u>
Total Rental Space in City Hall.....		<u>\$304,571.30</u>

KENILWORTH AVENUE NORTH COMPOSITE BUILDING

<u>REGIONAL POLICE DEPARTMENT</u>	<u>TOTAL</u>
(i) December 1, 1991 to November 30, 1994	
First Floor - 4,393 square feet	\$33,826.10
4,393 sq. ft. @ \$7.70 per sq. ft. per annum	per annum
(ii) Second Floor - 3,062 square feet	\$21,893.30
3,062 sq. ft. @ \$7.15 per sq. ft. per annum	per annum
(iii) Basement - 1,125 square feet	\$ 2,531.25
1,125 sq. ft. @ \$2.25 per sq. ft. per annum	per annum
(iv) Garages - 1,239 square feet	\$ 2,044.35
1,239 sq. ft. @ \$1.65 per sq. ft. per annum	<u>per annum</u>
Total Regional Police Department.....	<u>\$60,295.00</u>

CITY OF HAMILTON
- RECOMMENDATION -

66

DATE: 1991 November 8

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Lease Renewal for Various City Properties
Occupied by the Region

RECOMMENDATION:

- a) That the City of Hamilton renew the Master Lease with The Regional Municipality of Hamilton-Wentworth for a period of three (3) years commencing December 1, 1991 and terminating November 30, 1994.
- b) That the City of Hamilton renew the lease with the Hamilton-Wentworth Regional Health Unit at the Composite Building - Kenilworth Avenue North and 777 Upper Wentworth Street and the Social Services Department at 74 Hughson Street South for a period of three (3) years commencing December 1, 1991 and terminating November 30, 1994. The three (3) year term is only for the establishment of the rent. It is most likely that the Region will be vacating these buildings in 1992 or early 1993.
- c) That the Mayor and City Clerk execute a lease document satisfactory to the City Solicitor.
- d) That lease renewals for Item a) and b) above to be based on the following Rent Schedules:

RENT COMPUTATIONS

CITY HALL

PLANNING DEPARTMENT

TOTAL

(i) December 1, 1991 to November 30, 1994	
7th Floor - West Wing - 6,171 square feet	\$ 88,245.30
6,171 sq. ft. @ \$14.30 per sq. ft. per annum	per annum

PROFESSIONAL ARTS BUILDING

AGE:	Twenty-Nine Years
RENTABLE AREA:	75,000 square feet
FULL FLOOR SIZE:	5,300 square feet
VACANCY:	15,000 square feet
PERCENTAGE VACANT:	20.0%
RENTAL RATE:	\$12.00 square foot gross
BASE YEAR:	1990
REMARKS:	Office improvement negotiable.

ROYAL CONNAUGHT HOTEL, 92 King Street East

AGE:	Seventy-Six Years
RENTABLE AREA:	21,196 square feet
FULL FLOOR SIZE:	4,700 square feet
VACANCY:	7,542 square feet
PERCENTAGE VACANT:	35.58%
RENTAL RATE:	\$21.00 square foot net (plus operating costs) ground floor \$15.00 square foot net (plus operating costs) upper floors
NET CHARGES:	\$7.00
REMARKS:	Part of completely renovated Royal Connaught Hotel.

ALEXANDRA SQUARE, 135 James Street South

AGE:	Twenty-Four Years
RENTABLE AREA:	72,559 square feet
FULL FLOOR SIZE:	5,760 square feet
VACANCY:	9,813 square feet
PERCENTAGE VACANT:	13.52%
RENTAL RATE:	\$9.00 square foot net (plus operating costs)
NET CHARGES:	\$6.50 (estimated)

THE UNDERMOUNT BUILDING, 143 James Street South

AGE:	Twenty-Seven Years
RENTABLE AREA:	45,378 square feet
FULL FLOOR SIZE:	4,880 square feet
VACANCY:	4,935 square feet
PERCENTAGE VACANT:	10.87%
RENTAL RATE:	\$9.00 square foot net (plus operating costs)
NET CHARGES:	\$6.50 (estimated)

ROYAL BANK OF CANADA, 32 James Street South

AGE:	Thirty-Seven Years
RENTABLE AREA:	28,600 square feet
FULL FLOOR SIZE:	6,230 square feet - tower
VACANCY:	3,172 square feet
PERCENTAGE VACANT:	11.09%
RENTAL RATE:	\$4.00
NET CHARGES:	\$8.60
REMARKS:	Older bank building.

HAMILTON MEDICAL ARTS BUILDING, James and Young Street

AGE:	Fifty-Nine Years
RENTABLE AREA:	43,355 square feet approximate
FULL FLOOR SIZE:	5,600 square feet
VACANCY:	2,700 square feet
PERCENTAGE VACANT:	6.27%
RENTAL RATE:	\$14.00 per square foot
BASE YEAR:	1990
REMARKS:	Primarily office building for doctors. Some commercial space being offered. Many recent renovations.

UNION GAS BUILDING, 20 Hughson Street South

AGE:	Twenty-Four Years
RENTABLE AREA:	75,000 square feet
FULL FLOOR SIZE:	7,300 square feet
VACANCY:	4,564 square feet
PERCENTAGE VACANT:	6.08%
RENTAL RATE:	\$8.00 square foot net (plus operating costs)
NET CHARGES:	\$7.20

CENTURY 21, 100 Main Street East

AGE:	Sixteen Years
RENTABLE AREA:	106,000 square feet
FULL FLOOR SIZE:	8,380 square feet - tower 21,523 square feet - ground floor 32,500 square feet - second floor 13,851 square feet - third floor
VACANCY:	25,020 square feet
PERCENTAGE VACANT:	23.6%
RENTAL RATE:	\$16.00 square foot gross office
BASE YEAR:	1989
REMARKS:	Generous allowance to new tenants.

EFFORT SQUARE, 105 Main Street East

AGE:	Twenty-Five Years
RENTABLE AREA:	86,130 square feet
FULL FLOOR SIZE:	9,380 square feet
VACANCY:	7,832 square feet
PERCENTAGE VACANT:	9.1%
RENTAL RATE:	\$16.00 gross
BASE YEAR:	1990
REMARKS:	Part of larger complex of retail outlets, apartments and Holiday Inn Hotel.

CHARLTON CENTRE, 25 Charlton Avenue East

AGE:	Nineteen Years
RENTABLE AREA:	50,000 square feet
FULL FLOOR SIZE:	5,000 square feet
VACANCY:	1,000 square feet
PERCENTAGE VACANT:	2.0%
RENTAL RATE:	\$16.50
BASE YEAR:	1990
REMARKS:	Primarily medical building. Tenant improvements shared 50/50.

FIRST CITY TRUST TOWER, 1 James Street South

AGE:	Sixteen Years
RENTABLE AREA:	79,500 square feet
FULL FLOOR SIZE:	5,400 square feet
VACANCY:	6,493 square feet
PERCENTAGE VACANT:	8.16%
RENTAL RATE:	\$12.00 square foot net (plus operating costs)
NET CHARGES:	\$8.40 per square foot
REMARKS:	Excellent location.

25 MAIN STREET WEST

AGE:	Twenty-One Years
RENTABLE AREA:	129,546 square feet
FULL FLOOR SIZE:	6,377 square feet
VACANCY:	2,376 square feet (office) 5,446 square feet (ground floor)
PERCENTAGE VACANT:	6.03%
RENTAL RATE:	\$12.00 square foot net - office (plus operating costs) \$18.00 square foot net - ground floor (plus operating costs)
NET CHARGES:	\$8.35 per square foot
REMARKS:	Award winning design.

NORWICH UNION LIFE, King and Hughson Streets

AGE:	Twelve Years
RENTABLE AREA:	88,100 square feet
FULL FLOOR SIZE:	8,815 even floors, 9,025 odd floors
VACANCY:	31,219 square feet includes 4,564 sublease
PERCENTAGE VACANT:	35.44%
RENTAL RATE:	\$12.00 square foot net (plus operating costs)
NET CHARGES:	\$8.00 per square foot
REMARKS:	Excellent location, efficient design.

PARK PLACE, 35 King Street East

AGE:	Built in 1883, completely renovated in September, 1984 (effective age seven years)
RENTABLE AREA:	55,500 square feet
FULL FLOOR SIZE:	13,500 square feet
VACANCY:	20,200 square feet and includes 12,500 for sublease
PERCENTAGE VACANT:	36.72%
RENTAL RATE:	\$12.00 square foot net (plus operating costs)
NET CHARGES:	\$8.72 per square foot

STELCO TOWER, 100 King Street West

AGE:	Twenty-One Years
RENTABLE AREA:	337,000 square feet
FULL FLOOR SIZE:	15,190 square feet
VACANCY:	67,182 square feet
PERCENTAGE VACANT:	19.93%
RENTAL RATE:	\$17.00 square foot net (plus operating costs)
NET CHARGES:	\$10.50 per square foot
REMARKS:	Part of Lloyd D. Jackson Square downtown re-development program.

BANK OF MONTREAL PAVILION, 1 James Street North

AGE:	Twenty-One Years
RENTABLE AREA:	30,000 square feet
FULL FLOOR SIZE:	15,000 square feet
VACANCY:	0 square feet
PERCENTAGE VACANT:	0%
RENTAL RATE:	\$17.00 square foot net (plus operating costs)
NET CHARGES:	\$10.50 per square foot
REMARKS:	Part of Lloyd D. Jackson Square.

STANDARD LIFE CENTRE, 120 King Street West

AGE: Eight Years

RENTABLE AREA: 409,500 square feet

FULL FLOOR SIZE: 38,000 - 40,000 square feet

VACANCY: 66,196 square feet
INCLUDES 57,696 square feet for sublease

PERCENTAGE VACANT: 16.16%

RENTAL RATE: \$19.50 square foot net (plus operating costs)

NET CHARGES: \$9.00

REMARKS: Phase IV of Lloyd D. Jackson Square.
Hamilton's second newest office building.

ROBERT THOMPSON BUILDING, 110 King Street West

AGE: Fourteen Years

RENTABLE AREA: 117,000 square feet

FULL FLOOR SIZE: 19,487

VACANCY: 16,150 square feet

PERCENTAGE VACANT: 13.8%

RENTAL RATE: \$17.00 square foot net (plus operating costs)

NET CHARGES: \$9.25

REMARKS: Part of Lloyd D. Jackson Square downtown re-development program.

COMMERCE PLACE, Phase 2, 21 King Street West

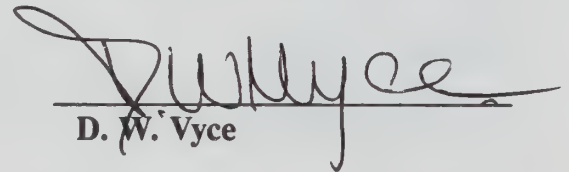
AGE:	Open April 1, 1991
RENTABLE AREA:	181,502 square feet
FULL FLOOR SIZE:	11,521 square feet
VACANCY:	92,499 square feet
PERCENTAGE VACANT:	50.96%
RENTAL RATE:	\$19.50 net (plus operating costs)
NET CHARGES:	\$9.00 (1991)
REMARKS:	Hamilton's newest office building.

COMMERCE PLACE, Phase 1, 1 King Street West

AGE:	Four Years
RENTABLE AREA:	181,661 square feet
FULL FLOOR SIZE:	11,478 square feet
VACANCY:	18,228 square feet
PERCENTAGE VACANT:	10.03%
RENTAL RATE:	\$18.00 net (plus operating costs)
NET CHARGES:	\$9.30 (1990)
REMARKS:	Hamilton's prime corner, major tenant C.I.B.C.

In our opinion, one really can't compare Kenilworth Avenue rates with downtown rates for as the saying goes, it is "like comparing apples with oranges". We are confident however that the rates proposed of each are fair and reasonable.

If further questions arise, we will be pleased to appear before the Committee to respond.



D. W. Vyce

Attach.

20 January 1992

Finance and Administration Committee

Page 2

B. Taxes

In the case of all City properties rented to the Region, no realty taxes are paid as the Region is exempt from taxation.

At City Hall, the rental rate recommended by this department (\$14.30 per square foot (Gross)) does not have a realty tax component. If we include taxes the rate would be \$17.30 per square foot which compares to a building of this type and age in the rental survey.

C. Age, Location and Quality

All of the above factors are very important when establishing a rental rate.

The focal point or best location for office accommodation is King and James and the rental rate drops dramatically as you move away from the corner. This is where the age and quality of space has a bearing on the rates.

An example of this would be the Bank of Commerce new tower which rents out at \$19.50 Net and First City Trust building at One James Street South which rents at \$12.50 Net.

When comparing City Hall to other buildings, we must remember this is an institutional building and not a commercial office building and the rental rate established with the Region has been set up as a Gross Lease.

The other comparable institutional building is the Ellen Fairclough building occupied by the Region. This lease was recently renewed with the Province for a rate of \$14.50 per square foot Gross. When you add taxes onto this rate (\$17.50 per square foot) it compares closely to 25 Main Street West which is at \$19.00 Gross. In summary, the rate recommended of \$14.30 Gross for City Hall which is a 30 year old building and not as functional as a commercial office tower is fairly comparable in the market place, all things considered.

The other question raised was why is there such a disparity between the City Hall rate recommended and the Kenilworth Avenue Police Station.

As mentioned earlier, the same comparison categories apply Location, Age, Quality, Taxes and Use of Property.

The Kenilworth Station is not in a high demand area. The building is over 40 years old, is not of high quality, is used as an institutional building as opposed to a retail or office building and there are taxes included in the rental rate recommended.

CITY OF HAMILTON

- INFORMATION -

JAN 20 1992

DATE: 1992 January 20

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Lease Renewal for Various City
Properties Occupied by the Region

BACKGROUND:

The Finance and Administration Committee at its meeting held January 9, 1992 tabled this department's report on the various Regional lease renewals, requesting more information regarding the reasons for apparent disparities/variances in the market value rents outlined in our report.

To assist the Committee, I developed a market survey of existing downtown office buildings.

Prior to reviewing the survey, there are some important facts to be noted when one compares rental properties.

A. Net Lease

This type of lease calls for the tenant to pay a fixed rent plus all operating costs associated with its space.

Gross Lease

For this type of lease, the tenant pays a fixed rental rate which includes operating costs. There is also an annual increase for operating costs over the base year.

DATED THIS XXX DAY OF XXX, 19XXX

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

AND

THE HAMILTON SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS

A G R E E M E N T

Re: Provision of Services to Protect
and Shelter Animals as well as
to Prevent Cruelty to Animals

Patrice Noé Johnson
City Solicitor
City Hall, Hamilton
Ontario L8N 3T4
File: 20-213/90.1
LEF:as

- 5.04 This Agreement shall not be assigned.
- 5.05 This Agreement shall be read with such changes of gender or number as the context may require.
- 5.06 Any note appearing as a heading in this Agreement has been so inserted for convenience and reference only and of itself cannot define, limit or expand the scope or meaning of the present Agreement or any of its provision.

IN WITNESS WHEREOF the parties hereto have hereunto caused their corporate seals to be affixed under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED & DELIVERED
in the Presence of:

THE CORPORATION OF THE CITY OF
HAMILTON

per:

Mayor

City Clerk

Date: _____

THE HAMILTON SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS

Chairman

Director

General Manager

Date: _____

Ref: HSPCA.cor(5)

credited with any resulting overpayment and may deduct the same from the next ensuing monthly instalments.

TERMINATION OF AGREEMENT:

- 4.01 Subject to Article 4.02, either party may effectively terminate this Agreement by giving three (3) calendar months' prior written notice of termination to the other party and, in the case of notice to be given by the Society to the City, such written notice may be effectively given by delivering the same to and leaving the same with the City Clerk or a person ostensibly in charge of the office of the City Clerk and, in the case of notice to be given by the City to the Society, such written notice may be effectively given by delivering the same to and leaving the same with the general manager of the Society or to that person who is ostensibly in charge of the general office of the Society.
- 4.02 Deletion - If the Society becomes bankrupt or insolvent or compounds with its creditors or commits any act of insolvency, then the City, at its option, shall be empowered immediately to terminate this Agreement, in the manner prescribed in Article 5.01, and procure such services elsewhere and to charge all costs incurred to the Society and to deduct the same from any monies due, or to become due, to the Society.
- 4.03 All rights and remedies given to the City by this Agreement are distinct, separate and cumulative and shall not be deemed to be in exclusion of any other rights or remedies available to the City and/or the Society under this Agreement or otherwise.
- 4.04 Upon termination of this Agreement for whatsoever reason, the obligations of the Society and/or the City remaining unsatisfied under this Agreement shall, nevertheless, continue as provided in this Agreement.
- 4.05 No delay or omission by the City and/or the Society in exercising any right or remedy shall operate as a waiver of them or of any other right or remedy, and no single or partial exercise of a right or remedy shall preclude any other or further exercise of them or the exercise of any other right or remedy.

GENERAL PROVISIONS:

- 5.01 Any notice, excepting a notice of termination to the Society, shall be deemed to have been properly given if in writing and addressed to, and mailed by prepaid ordinary mail, or delivered personally to the General Manager, The Hamilton Society for the Prevention of Cruelty to Animals, 658 Parkdale Avenue North, Hamilton, Ontario, L8H 5Z4, and any such notice so mailed shall be deemed to have been received on the third business day after the mailing thereof.
- 5.02 Any notice, excepting a notice of termination to the City, shall be deemed to have been properly given if in writing and addressed to and mailed by prepaid ordinary mail, or delivered to The City Clerk, The Corporation of the City of Hamilton, City Hall, 71 Main Street West, Hamilton, Ontario. L8N 3T4 and any such notice so mailed shall be deemed to have been received on the third business day after the mailing thereof.
- 5.03 This Agreement shall enure to the benefit of and be binding upon the parties hereto and except as hereinafter otherwise provided, their executors, administrators, successors and assigns.

consecutive monthly instalments on the last days of each calendar month in the calendar year to which the annual fee relates. The process for agreeing the annual fee for a calendar year and any adjustments in the level of services to be provided by the Society to the City for that calendar year and the adjustment, if any, to be made in the payment of the annual fee shall be as follows:

- (a) Prior to January 1, the Society shall submit to the City its submitted fee for the provision of the services stated in paragraphs 2.01 and 2.02 for the calendar year commencing with that 1st day of January;
- (b) The City may accept such submitted fee or propose to the Society another amount in lieu thereof on the basis that if such other amount is less than that submitted by the Society, the Society shall be put to its election within thirty days of being notified of such lesser amount to either
 - i) accept such lesser amount and reduce the level of services otherwise stated in paragraphs 2.01 and 2.02 to the extent as may be required, in the sole discretion of the General Manager of the Society, to reconcile the level of services which the Society can provide with the lesser fee proposed by the City, or
 - ii) invoke the termination provisions provided in paragraph 4.01;
- (c) The Society shall provide to the City the services stated in paragraphs 2.01 and 2.02 from January 1 in a calendar year until
 - i) December 31 in such calendar year if the fee submitted by the Society for such year is accepted by the City, or
 - ii) the Society notifies the City of the reduced level of services which it will provide should it elect (i) in subparagraph (b), or
 - iii) the effective date of the termination of this Agreement pursuant to paragraph 4.01 should the Society elect (ii) in subparagraph (b);
- (d) If the City accepts the Society's submitted fee for a calendar year that submitted fee shall be the annual fee for the calendar year;
- (e) If the Society elects (i) in subparagraph (b), such reduced fee shall be the annual fee for the calendar year;
- (f) If the Society elects (ii) in subparagraph (b), the City shall pay the Society a fee pro rata with the annual fee for the preceding year;
- (g) The City shall make monthly payments to the Society in the amount of the monthly payments established for the next preceding calendar year on the last days of each month commencing January 31 until the annual fee for the calendar year is established in accordance with these provisions or, if not established by reason of the Society invoking the termination provisions of paragraph 4.01, until the effective date of termination. In the event the annual fee is established in accordance with the provisions of this Agreement and such annual fee is less than that for the preceding year, the City shall be

(c) In connection with this indemnification set out in paragraph (b), agree to purchase and maintain in force, at its own expense,

- (i) a policy of Comprehensive General Liability insurance, in the amount of not less than TWO MILLION DOLLARS (\$2,000,000.00), for injury, death, damage or loss to person or property, as the case may be, provided that such insurance name the City as an additional insured, provide the City with cross-liability protection and require that thirty (30) days' prior written notice of any change to or amendment, cancellation, termination or expiration of the coverage under such policy be given to the City, and
- (ii) a policy of Standard Owner's Form OPF1 Automobile Policy insurance, providing Third Party Liability and Accident Benefits Insurance and covering all vehicles owned and operated by or on behalf of the Society, in the amount of not less than TWO MILLION (\$2,000,000.00) inclusive per occurrence for injury, death, damage or loss to person or property, as the case may be, endorsed to provide the City with not less than thirty (30) days' prior written notice of any change to or amendment, cancellation, termination or expiration of the coverage under the policy,

provided that, upon execution of this Agreement, the Society shall provide to the Solicitor for the City Certificates and certified copies of such policies and evidence of the continuation of such coverage not less than thirty (30) days prior to its expiry date.

COVENANTS OF THE CITY:

- 3.01 The City covenants and agrees that nothing in this Agreement is intended to oblige the Society or its employees to provide any service or perform any act which it is not lawful for the Society or its employees to provide and perform. If at any time subsequent to the provision of any service or the performance of any act by the Society or an employee of the Society in the reasonable and honest but mistaken belief that the provision of such service or the performance of such act is lawful and subsequently the provision of such service or the performance of such Act is alleged to be unlawful, the City shall fully indemnify and save harmless both the Society and its employee in respect of any and all civil demands, costs, expenses, claims and damages of all kinds (excluding exemplary and punitive damages) that may be asserted by any person, firm or corporation deemed to be affected by the provision of such service or the performance of such act and the City shall save the Society and its employee harmless in respect thereof.
- 3.02 The City and the Society agree the fees to be paid by the City to the Society for providing the services stated in paragraphs 2.01 and 2.02 during calendar year 1991 are \$830,890.00 plus a capital grant amount of \$47,310.00.
- 3.03 While this Agreement is in effect, and subject to the appropriate adjustment to be made in the event the expiration of the three calendar months' prior written notice of termination as provided in paragraph 4.01 falls on some date other than the 31st day of December, the City shall pay to the Society an annual fee for the services to be rendered by the Society for a calendar year (the "annual fee") which, subject to the adjustments noted below, shall be payable and be paid by the City to the Society by twelve equal

- (cc) Install in the animal shelter all equipment necessary for the proper operation of the animal shelter.
- (dd) Take reasonable precautions to ensure that all services provided by the Society under this Agreement shall conform to and comply with all relevant federal, provincial, regional and municipal laws.

EMERGENCY SERVICES TO BE PROVIDED BY THE SOCIETY:

2.02 The Society shall provide the following services which are considered to be emergency services 24 hours each day on each and every day including Saturdays, Sundays and statutory holidays throughout the duration of this Agreement to the extent it is lawful for the Society and its employees to provide such services:

- i) assistance to the Hamilton-Wentworth Regional Police or the Hamilton Fire Department, a member or members of the public in the City, the Ontario Provincial Police, employees of the Ministry of Transportation or other authorities, or any combination of them, when the assistance of the Society is requested, provided the situation is one which involves (a) the safety of an animal or other living thing, or (b) the safety of a member of the public, because of a risk of harm, real or reasonably apprehended, which might be caused by an animal or other living thing;
- ii) remove or euthanise or both an animal or other living thing which is injured or is in immediate danger of injury or death or is suspected of being rabid or which poses a real or reasonably apprehended risk of harm to a member of the public in the City and to discharge a firearm should it appear reasonable to do so to the employee of the Society involved in the situation and, in the event such employee does so discharge a firearm, it shall be deemed to have been discharged on the instructions of the City.

WORKERS' COMPENSATION, INDEMNIFICATION AND INSURANCE:

2.03 In connection with the services agreed to be provided by the Society to the City under the terms of this Agreement, the Society shall:

- (a) Before the execution of this Agreement by the City, and from to time during the provision of services and before any payment is made, submit a statement of current status from the Workers' Compensation Board, the proper assessment provided by the Workers' Compensation Act, and indemnify the City against the payment of any sum that the City might be called upon to pay, pursuant to any provisions of the Act, provided that the City may, at any time, deduct, from monies due the Society under this Agreement, any sum paid to the Board or for which the City may be liable.
- (b) Indemnify and save harmless the City, its officers, employees, consultants and agents, from all losses, costs, expenses, claims, demands, damages, actions, causes of action, suit and proceedings which the City, or its officers, employees, consultants or agents, may, in any way, suffer or be put to, for or by reason of anything done or omitted to be done by the Society pursuant to the terms of this Agreement.

- (p) Remove, impound, relocate, euthanise or otherwise dispose of animals caught in humane traps provided by the Society, whether wild or tame animals, in accordance with the discretion and powers conferred by the relevant City by-laws and relevant provincial statutes in force from time to time.
- (q) Remove, impound, relocate, euthanise or otherwise dispose of animals not caught in humane traps provided by the Society but confined or captured on private property, whether wild or tame animals, in accordance with the discretion and powers conferred by the relevant City by-laws and relevant provincial statutes in force from time to time.
- (r) Provide the services described as emergency services in paragraph 2.27.
- (s) Maintain full and complete financial records, books of account, receipts, invoices, statements and other documents as will provide the City with a full accounting of revenues and expenditures in respect of Animal Control services provided to the City;
- (t) Without restricting the generality of clause (s), maintain records of licences sold by the Society on behalf of the City, and, so long as the City provides the Society with timely information as to other licences sold, maintain a comprehensive data base to facilitate the identification of animal owners. Forms and record keeping systems utilized by the Society shall be supplied by the Society and be of a nature determined solely at the discretion of the Society. Fees received by the Society for licences sold on behalf of the City shall be received by the Society for the City and disbursed by the Society first to set off any and all fees owing by the City under this Agreement and thereafter to the City.
- (u) Open all its financial books and records for inspection and audit by the City or its officials appointed for such purpose, and supply any and all further and other financial information as to the operations of the Society as the City may require;
- (v) Provide the City with an annual operating budget in November of each year for the following year;
- (w) Provide the City with copies of audited financial statements by no later than April 30th each year for the previous year;
- (x) Maintain a public pound and shelter premises in The Regional Municipality of Hamilton-Wentworth;
- (y) Insure buildings used for animal control against fire, including supplementary coverage, to their full insurable value, and in the event of loss, apply the amount of insurance to the reconstruction of the premises unless otherwise agreed by the parties hereto in writing;
- (z) Supply vehicles, radio equipped, for the purpose of animal control during all specified animal control service hours;
- (aa) Bear and pay the full cost and expense of maintenance and operation of vehicles;
- (bb) Cause its own employees to operate such vehicles;

- (cc) Install in the animal shelter all equipment necessary for the proper operation of the animal shelter.
- (dd) Take reasonable precautions to ensure that all services provided by the Society under this Agreement shall conform to and comply with all relevant federal, provincial, regional and municipal laws.

EMERGENCY SERVICES TO BE PROVIDED BY THE SOCIETY:

2.02 The Society shall provide the following services which are considered to be emergency services 24 hours each day on each and every day including Saturdays, Sundays and statutory holidays throughout the duration of this Agreement to the extent it is lawful for the Society and its employees to provide such services:

- i) assistance to the Hamilton-Wentworth Regional Police or the Hamilton Fire Department, a member or members of the public in the City, the Ontario Provincial Police, employees of the Ministry of Transportation or other authorities, or any combination of them, when the assistance of the Society is requested, provided the situation is one which involves (a) the safety of an animal or other living thing, or (b) the safety of a member of the public, because of a risk of harm, real or reasonably apprehended, which might be caused by an animal or other living thing;
- ii) remove or euthanise or both an animal or other living thing which is injured or is in immediate danger of injury or death or is suspected of being rabid or which poses a real or reasonably apprehended risk of harm to a member of the public in the City and to discharge a firearm should it appear reasonable to do so to the employee of the Society involved in the situation and, in the event such employee does so discharge a firearm, it shall be deemed to have been discharged on the instructions of the City.

WORKERS' COMPENSATION, INDEMNIFICATION AND INSURANCE:

2.03 In connection with the services agreed to be provided by the Society to the City under the terms of this Agreement, the Society shall:

- (a) Before the execution of this Agreement by the City, and from to time during the provision of services and before any payment is made, submit a statement of current status from the Workers' Compensation Board, the proper assessment provided by the Workers' Compensation Act, and indemnify the City against the payment of any sum that the City might be called upon to pay, pursuant to any provisions of the Act, provided that the City may, at any time, deduct, from monies due the Society under this Agreement, any sum paid to the Board or for which the City may be liable.
- (b) Indemnify and save harmless the City, its officers, employees, consultants and agents, from all losses, costs, expenses, claims, demands, damages, actions, causes of action, suit and proceedings which the City, or its officers, employees, consultants or agents, may, in any way, suffer or be put to, for or by reason of anything done or omitted to be done by the Society pursuant to the terms of this Agreement.

- (p) Remove, impound, relocate, euthanise or otherwise dispose of animals caught in humane traps provided by the Society, whether wild or tame animals, in accordance with the discretion and powers conferred by the relevant City by-laws and relevant provincial statutes in force from time to time.
- (q) Remove, impound, relocate, euthanise or otherwise dispose of animals not caught in humane traps provided by the Society but confined or captured on private property, whether wild or tame animals, in accordance with the discretion and powers conferred by the relevant City by-laws and relevant provincial statutes in force from time to time.
- (r) Provide the services described as emergency services in paragraph 2.27.
- (s) Maintain full and complete financial records, books of account, receipts, invoices, statements and other documents as will provide the City with a full accounting of revenues and expenditures in respect of Animal Control services provided to the City;
- (t) Without restricting the generality of clause (s), maintain records of licences sold by the Society on behalf of the City, and, so long as the City provides the Society with timely information as to other licences sold, maintain a comprehensive data base to facilitate the identification of animal owners. Forms and record keeping systems utilized by the Society shall be supplied by the Society and be of a nature determined solely at the discretion of the Society. Fees received by the Society for licences sold on behalf of the City shall be received by the Society for the City and disbursed by the Society first to set off any and all fees owing by the City under this Agreement and thereafter to the City.
- (u) Open all its financial books and records for inspection and audit by the City or its officials appointed for such purpose, and supply any and all further and other financial information as to the operations of the Society as the City may require;
- (v) Provide the City with an annual operating budget in November of each year for the following year;
- (w) Provide the City with copies of audited financial statements by no later than April 30th each year for the previous year;
- (x) Maintain a public pound and shelter premises in The Regional Municipality of Hamilton-Wentworth;
- (y) Insure buildings used for animal control against fire, including supplementary coverage, to their full insurable value, and in the event of loss, apply the amount of insurance to the reconstruction of the premises unless otherwise agreed by the parties hereto in writing;
- (z) Supply vehicles, radio equipped, for the purpose of animal control during all specified animal control service hours;
- (aa) Bear and pay the full cost and expense of maintenance and operation of vehicles;
- (bb) Cause its own employees to operate such vehicles;

their respective successor statutes, if any, from time to time to the extent it is lawful for the Society and its employees to do so from time to time.

- (d) Provide the services of such employee or employees as may be appointed a valuer of livestock or poultry for the purposes of the Dog Licensing and Live Stock and Poultry Protection Act by the Council of the City to perform the function of valuer in the City.
- (e) Impound stray dogs to the extent they may be confined or captured.
- (f) Impound stray cats confined on private property.
- (g) Impound or receive other such species which may properly be held in the custody of the poundkeeper under the terms of any relevant legislation.
- (h) Remove and dispose of animal cadavers from municipal roadways, road allowances or other public property.
- (i) Remove and dispose of "stray" animal cadavers, wild or domestic, from private property.
- (j) Dispose of all animals received through sale or euthanasia.
- (k) Dispose of all animal cadavers received through pathological incineration, or other methods, which may meet the approval of Health and Environmental Authorities.
- (l) If requested to do so by the health unit of The Regional Municipality of Hamilton-Wentworth, provide the services listed below for the health unit for the benefit of the City to the extent that it is lawful for the Society and its employees to do so and subject always to the requirements of the Public Health Act, R.S.O. 1980, ch. 409, as amended from time to time and any successor statute and the regulations in force thereunder from time to time:
 - i) the investigation of all reported instances of animals biting humans;
 - ii) the quarantine of animals having bitten humans for periods advised by the medical officer of health of The Regional Municipality of Hamilton-Wentworth;
 - iii) the inspection and release of animals having been quarantined at the expiration of the quarantine period.
- (m) Investigate all reported "animal to animal" biting instances, reporting same to the Ministry of Agriculture, Health of Animals Branch.
- (n) Patrol municipal roadways, or other public lands, for the purpose of the observance of by-law infraction, in cases where the Society has reason to believe infractions are occurring.
- (o) Provide, upon request, subject to availability, humane traps to residents for the purpose of assisting in the capture of nuisance wildlife, or species addressed in the by-laws of the City on private property.

SERVICES:

2.01 Excepting always,

- i) any and all services listed as excepted services in such schedule of excepted services, if any, as may be appended to this Agreement and which, if appended, will form part of this Agreement, notwithstanding such excepted services are listed in the main body of this Agreement,

the Society shall, subject to any and all conditions pertaining to the provision thereof, provide to the City the following services listed below between the hours of 8:00 a.m. and 8:00 p.m. on each and every day, excepting Saturdays, Sundays and statutory holidays, throughout the duration of this Agreement:

- (a) Assist in the enforcement of City by-laws which may be enacted from time to time pertaining to the control and keeping of animals by maintaining in its employ sufficient employees from time to time to provide the following services and to direct such employees to perform such services to the extent it is lawful for the Society to do so and for such employees to provide such services:
 - i) the response to complaints from members of the public within the City, within a reasonable period of time, concerning infractions of any such by-law or by-laws;
 - ii) in appropriate cases, commencing a proceeding by laying an information or by filing a certificate of offence alleging an offence in respect of an infraction of any such by-law;
 - iii) appearances in Provincial Offences Court to prosecute proceedings in respect of an infraction of any such by-law whether such proceeding was commenced by an employee of the Society or some other person provided always that, in each and every instance where the Society is of the opinion that the City should be represented in Provincial Offences Court by a solicitor and the Society notifies the City accordingly within a reasonable time prior to the trial of the offence, the Society shall be relieved of the responsibility to prosecute such offence and the same shall be undertaken by a solicitor representing the City of the City's choosing;
 - iv) the sale of dog licences or other licences required under any such by-law or by-laws on the City's behalf.
- (b) Act as poundkeeper for the City in accordance with the terms of the Pounds Act, R.S.O. 1980, ch. 383, as amended from time to time or any successor statute, and the Animals for Research Act, R.S.O. 1980, ch. 22, as amended from time to time or any successor statute, and provide the services required of poundkeeper under such statutes to the extent that it is lawful for the Society and its employees to do so from time to time.
- (c) Enforce, within the City, the provisions of the Dead Animal Disposal Act, R.S.O. 1980, ch. 112, the Dog Licensing and Live Stock and Poultry Protection Act, R.S.O. 1980, ch. 123, and the Dog Owners' Liability Act, R.S.O. 1980, ch. 124, and their respective amendments or

THIS AGREEMENT MADE IN QUADRUPLICATE THIS XXX DAY OF XXX, 1990.

B E T W E E N:

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter called the "City")

OF THE FIRST PART,

- and -

THE HAMILTON SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS.

(hereinafter called the "Society")

OF THE SECOND PART

WHEREAS the City and Society had entered into an agreement dated January 13th, 1987 with respect to the provision of "animal control" and "animal welfare emergency services";

AND WHEREAS the City and Society are desirous of entering into a new agreement;

AND WHEREAS the City requires the provision of the services described in this Agreement;

AND WHEREAS the Society has agreed to provide such services on the terms and conditions expressed in this Agreement in consideration of payment by the City of the fees required to be paid for such services as provided in this Agreement;

AND WHEREAS the Council of the City, in adopting Item XXX of the XXX Report of the Finance and Administration Committee at its meeting on XXX, agreed to enter this Agreement with the Society;

NOW THEREFORE, this Agreement witnesses that, in consideration of the premises and the covenants contained herein, the parties agree each with the other as follows:

DURATION OF THE AGREEMENT:

1.01 The Society shall provide the services required of it by this Agreement during the hours and on the days as provided in this Agreement during the period commencing XXX and continuing to such time until a new Agreement is executed or until the present Agreement is terminated. The City shall pay the Society the fees for such services as provided for in this Agreement. Subject to any renewal of this Agreement, which may be negotiated by the parties, once this Agreement is terminated, it shall be fully ended and completed, save only for

- i) the disposition in accordance with the provisions of this Agreement by the Society of any animal or animals in its custody as of the end of this Agreement, and
- ii) the payment by the City to the Society of any and all accrued and unpaid fees payable by the City to the Society as of the end of this Agreement.

The Society shall dispose of any and all animals in its custody as of the end of this Agreement, in accordance with the provisions of this Agreement. The City shall pay any and all fees for services calculated in accordance with the provisions of this Agreement that have accrued as of the end of this Agreement, and are unpaid.

Mr. J.D. Thompson, Secretary
Finance and Administration Committee
1992 January 17 - Page 2

c.c. Ms. P. Noé Johnson, City Solicitor
Attention: Mr. L. Farr

c.c. Mr. C. Stableford, General Manager
H.S.P.C.A.
658 Parkdale Avenue North
Hamilton, Ontario
L8H 5Z4

c.c. Mr. Grant Howell
Howell & Howell
Barristers & Solicitors
1505 Effort Square
105 Main Street East
Hamilton, Ontario
L8N 1G6

CITY OF HAMILTON
- RECOMMENDATION -

JAN 17 1992

DATE: 1992 January 17

REPORT TO: Mr. J.D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. Roy Hammel
Acting Treasurer

SUBJECT: ANNUAL CONTROL AGREEMENT - S.P.C.A.

RECOMMENDATION:

- (a) That the City renew the Agreement with the H.S.P.C.A. to purchase animal control and related services in accordance with the provisions of the Agreement and the City's approved annual budget for the provision of those services, and
- (b) that the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City of Hamilton.



I.R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- payment to the H.S.P.C.A. will be based upon the limits of the approved annual budget set by City Council for provision of animal control services.

BACKGROUND:

The 1987 Agreement between the City and the H.S.P.C.A. has been revised and updated through discussions with the Society, and the City's Law Department and Treasury Department.

A copy of the proposed Agreement is attached.

Attachment

**1992-1996 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM**

1. DEPARTMENT/LOCAL BOARD: (TREASURY) GRANTS
2. PROJECT NAME: Capital Grants Provision
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:
Annual Provision to fund Capital Grants for Outside Organizations -
Balance of Unallocated Funds to be set up in a reserve for Capital
Grants - established by Grant Policy which was revised by Council
October 30, 1990.
4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 01-93
- (b) PROJECT FINISHING DATE (MONTH-YEAR): 12-96
5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 400,000
- (b) LESS SUBSIDIES AND OTHER RECEIPTS: \$ 0
- (c) NET CITY'S COST: \$ 400,000
- (d) ANNUAL CAPITAL FINANCING COST: \$ 65,000
- (e) TOTAL CARRYING COST OF RETIRING DEBT: \$ 650,000
- (f) NATURE OF FINANCING: _____
6. (a) YEAR OF EXPENDITURE - 1992 \$ _____
- 1993 \$ 100,000
- 1994 \$ 100,000
- 1995 \$ 100,000
- 1996 \$ 100,000
- 1997 & after \$ _____
7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: NIL
8. ADDITIONAL ANNUAL OPERATING COST: \$ NIL
9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:
Reduce ability to fund Capital Grants - funding would continue on
Ad-Hoc basis and provide no basis for planned Capital Grants.
10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?
- No ☐ Yes ☒ - AT CITY'S COST OF \$ 500,000
- SCHEDULED TO START IN THE YEAR 1990


Signature of Department Head/Local
Board Manager
(for Standing Committee)

Nov 18/91
Date

Signature of C.A.O.
(for Finance & Administration
Committee)

Date

**1992-1996 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM**

1. DEPARTMENT/LOCAL BOARD: (TREASURY) GRANTS
2. PROJECT NAME: Capital Grants Provision
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:
Annual Provision to fund Capital Grants for Outside Organizations -
Balance of Unallocated Funds to be set up in a reserve for Capital
Grants - established by Grant Policy which was revised by Council
October 30, 1990.
4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 01-92
(b) PROJECT FINISHING DATE (MONTH-YEAR): 12-92
5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 100,000
(b) LESS SUBSIDIES AND OTHER RECEIPTS: \$ 0
(c) NET CITY'S COST: \$ 100,000
(d) ANNUAL CAPITAL FINANCING COST: \$ 16,000
(e) TOTAL CARRYING COST OF RETIRING DEBT: \$ 160,000
(f) NATURE OF FINANCING: _____
6. (a) YEAR OF EXPENDITURE - 1992 \$ 100,000
- 1993 \$ _____
- 1994 \$ _____
- 1995 \$ _____
- 1996 \$ _____
- 1997 & after \$ _____
7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: NIL
8. ADDITIONAL ANNUAL OPERATING COST: \$ NIL
9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:
Reduce ability to fund Capital Grants - funding would continue on
Ad-Hoc basis and provide no basis for planned Capital Grants.

10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No

☐

Yes

☒- AT CITY'S COST OF \$ 500,000- SCHEDULED TO START IN THE YEAR 1990

D. Kevin Beattie
Signature of Department Head/Local
Board Manager
(for Standing Committee)

Signature of C.A.O.
(for Finance & Administration
Committee)

Nov 18/91
Date

Date

4(c)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 16

REPORT TO: Mr. J. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D.K. Beattie
Grants Co-Ordinator

SUBJECT: 1992-1996 CAPITAL GRANT PROVISION REQUEST

RECOMMENDATION:

- a) that the Finance and Administration Committee forward the Capital Budget submission for an annual \$100,000 Capital Grant provision for consideration as part of the 1992-1996 Capital Budget.


D.K. Beattie, Grants Co-ordinator

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

To be submitted to Capital Budget Project Review Process, the provision is for \$100,000 per year and consistent with the Grants Policy.

BACKGROUND:

The City of Hamilton Grants Policy provides for funding of Capital Grants through an annual provision of \$100,000 as part of the Capital Budget. Any unexpended funds in any given year are to be set up in a reserve for Capital Grants.

Please refer to attached Capital Budget Submission forms.

Attachments



FUTURE CAPITAL PROJECT SCHEDULED TO BE STARTED 1997-2001

1. DEPARTMENT/LOCAL BOARD: Parking Authority
2. PROJECT NAME: Parking Structure - Southeast Quadrant
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:

to construct a multi-level parking structure of approximately 650 stalls in the south-east quadrant to serve the parking needs of this growing retail and professional business sector of the Hamilton economy. On a site yet to be determined this facility will serve in part as an 'anchor' to encourage the continuing influx of business dollars into this crucial area. It will also complement the transportation sector by being available to those persons who may wish to transfer to the "GO" train service.

4. (a) PROJECT STARTING (Year of O.M.B. approval) 1998
DATE (MONTH-YEAR): _____
- (b) PROJECT FINISHING DATE (MONTH-YEAR): 1998

5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 8,800,000
- (b) LESS SUBSIDIES AND OTHER RECEIPTS (Specify) \$ 8,800,000
- (c) NET CITY'S COST: \$ NIL
- (d) ANNUAL CAPITAL FINANCING COST: \$ -
- (e) TOTAL CARRYING COST OF RETIRING DEBT: \$ -
- (f) NATURE OF FINANCING: User Fee & Reserve

6. (a) YEAR OF EXPENDITURE - 1997 \$ _____
- 1998 \$ _____
- 1999 \$ _____
- 2000 \$ _____
- 2001 \$ _____
- 2002 & after \$ _____

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: 5

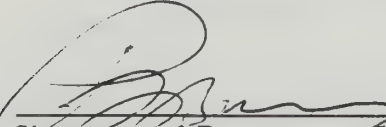
8. ADDITIONAL ANNUAL OPERATING COST: \$ 450,000

9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

Added construction costs plus further aggravated parking demands
will result.

10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☐Yes ☒- AT CITY'S COST OF \$ 8,000,000- SCHEDULED TO START IN THE YEAR 1993


Signature of Department Head/Local
Board Manager
(for Standing Committee)

Nov 8/ '91
Date

Signature of C.A.O.
(for Finance & Administration
Committee)

Date

**FUTURE CAPITAL PROJECT
SCHEDULED TO BE STARTED 1997-2001**

1. DEPARTMENT/LOCAL BOARD: Parking Authority
2. PROJECT NAME: City Hall Carpark Deck
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:
In conjunction with the declining number of private parking spaces in the area, it is timely to increase the parking at City Hall.
This parking deck would rise three (3) levels and supply a further 708 spaces from the current number available.

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1997

(b) PROJECT FINISHING DATE (MONTH-YEAR): 1997

5.	(a)	GROSS COST OF PROJECT IN YEAR-OF-START DOLLARS:	\$	<u>10,500,000</u>
	(b)	LESS SUBSIDIES AND OTHER RECEIPTS (Specify)	\$	<u>10,500,000</u>
	(c)	NET CITY'S COST:	\$	<u>NIL</u>
	(d)	ANNUAL CAPITAL FINANCING COST:	\$	<u>-</u>
	(e)	TOTAL CARRYING COST OF RETIRING DEBT:	\$	<u>-</u>
	(f)	NATURE OF FINANCING:		User Fee & Reserve

6.	(a)	YEAR OF EXPENDITURE - 1997	\$	_____
		- 1998	\$	_____
		- 1999	\$	_____
		- 2000	\$	_____
		- 2001	\$	_____
		- 2002 & after	\$	_____

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: _____

8. ADDITIONAL ANNUAL OPERATING COST: \$_____

9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☐ Yes ☐ - AT CITY'S COST OF \$_____

- SCHEDULED TO START IN THE YEAR _____

Signature of Department Head/Local
Board Manager
(for Standing Committee)

*Signature of C.A.O.
(for Finance & Administration
Committee)*

Date _____

Date _____

1992-1996 CAPITAL BUDGET

1. DEPARTMENT/LOCAL BOARD: Parking Authority
2. PROJECT NAME: Main/Ferguson Decking - joint project.
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.: _____

The Parking Authority recognizes the need to increase it's inventory of parking spaces in this area. By inviting outside parties to participate in the acquisition of air rights it is planned to quadruple the available spaces to approximately 280 to 300 from the current 70.

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1993
- (b) PROJECT FINISHING DATE (MONTH-YEAR): 1993

- | | | |
|--------|--|--------------------|
| 5. (a) | GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: | \$ 3,780,000 |
| (b) | LESS SUBSIDIES AND OTHER RECEIPTS: | \$ 3,680,000 |
| (c) | NET CITY'S COST: | \$ 100,000 |
| (d) | ANNUAL CAPITAL FINANCING COST: | \$ 16,000 |
| (e) | TOTAL CARRYING COST OF RETIRING DEBT: | \$ 160,000 |
| (f) | NATURE OF FINANCING: | User Fee & Reserve |

- | | | | |
|----------------------------|----------------|----|---------|
| 6. (a) YEAR OF EXPENDITURE | - 1992 | \$ | _____ |
| | - 1993 | \$ | 100,000 |
| | - 1994 | \$ | _____ |
| | - 1995 | \$ | _____ |
| | - 1996 | \$ | _____ |
| | - 1997 & after | \$ | _____ |

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: 1

8. ADDITIONAL ANNUAL OPERATING COST: \$ 280,000
9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

This area needs parking in order to maintain commercial stability in existing businesses and to attract other business to the area.

10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☐ Yes ☒ - AT CITY'S COST OF \$ 100,000
- SCHEDULED TO START IN THE YEAR 1992

*Signature of Department Head/Local
Board Manager
(for Standing Committee)*

Nov 8/91

Date _____

*Signature of C.A.O.
(for Finance & Administration
Committee)*

Date _____

1992-1996 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM

1. DEPARTMENT/LOCAL BOARD: Parking Authority
2. PROJECT NAME: Underground Parking Deck - Board of Education.
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:

This project would extend the parking out from the Convention Centre parking area. It would add 474 extra spaces in an already high demand parking facility.

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1995
(b) PROJECT FINISHING DATE (MONTH-YEAR): 1995

5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 10,000,000
(b) LESS SUBSIDIES AND OTHER RECEIPTS: \$ 10,000,000
(c) NET CITY'S COST: \$ NIL
(d) ANNUAL CAPITAL FINANCING COST: \$ -
(e) TOTAL CARRYING COST OF RETIRING DEBT: \$ -
(f) NATURE OF FINANCING: _____

6. (a) YEAR OF EXPENDITURE - 1992 \$ _____
- 1993 \$ _____
- 1994 \$ _____
- 1995 \$ _____
- 1996 \$ _____
- 1997 & after \$ _____

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: NIL

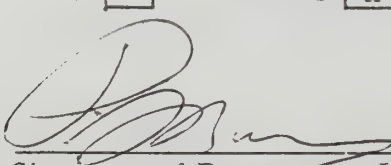
8. ADDITIONAL ANNUAL OPERATING COST: \$ 290,000

9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

Added construction costs plus further aggravation with parking demand would both result from a delay.

10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☐ Yes ☒ - AT CITY'S COST OF \$ 0
- SCHEDULED TO START IN THE YEAR 1991


Signature of Department Head/Local
Board Manager
(for Standing Committee)

Signature of C.A.O.
(for Finance & Administration
Committee)

Nov 8/91
Date

Date

**1992-1996 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM**

1. DEPARTMENT/LOCAL BOARD: Parking Authority
2. PROJECT NAME: Demolition & site preparation
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:

This project is associated with all Parking Authority land acquisitions.
It covers the one-time cost of clearing land and preparing a site for
parking.

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1992
(b) PROJECT FINISHING DATE (MONTH-YEAR): 1996

5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 500,000
(b) LESS SUBSIDIES AND OTHER RECEIPTS: \$ _____
(c) NET CITY'S COST: \$ 500,000
(d) ANNUAL CAPITAL FINANCING COST: \$ 81,000
(e) TOTAL CARRYING COST OF RETIRING DEBT: \$ 810,000
(f) NATURE OF FINANCING: _____

6. (a) YEAR OF EXPENDITURE - 1992 \$ 100,000
- 1993 \$ 100,000
- 1994 \$ 100,000
- 1995 \$ 100,000
- 1996 \$ 100,000
- 1997 & after \$ _____

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: _____

8. ADDITIONAL ANNUAL OPERATING COST: \$ _____

9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

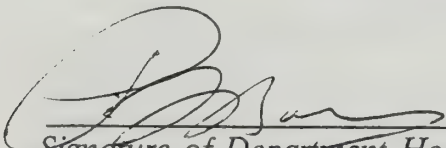
10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☐

Yes ☐

- AT CITY'S COST OF \$ _____

- SCHEDULED TO START IN THE YEAR _____



Signature of Department Head/Local
Board Manager
(for Standing Committee)

Nov. 8/91
Date

Signature of C.A.O.
(for Finance & Administration
Committee)

Date

**1992-1996 CAPITAL BUDGET
INDIVIDUAL CAPITAL PROJECT SUBMISSION FORM**

1. DEPARTMENT/LOCAL BOARD: Parking Authority
2. PROJECT NAME: Parking Deck - Go Terminus
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT, LOCATION, ETC.:

This project is designed to partly fill the existing parking needs in this area plus the extra demand which will be brought about by the commerce which will locate here because of "GO". (It also answers the need described in a detailed study done of the area.)

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1992
(b) PROJECT FINISHING DATE (MONTH-YEAR): 1994

5. (a) GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: \$ 2,800,000
(b) LESS SUBSIDIES AND OTHER RECEIPTS: \$
(c) NET CITY'S COST: \$ 2,800,000
(d) ANNUAL CAPITAL FINANCING COST: \$ 456,000
(e) TOTAL CARRYING COST OF RETIRING DEBT: \$ 4,560,000
(f) NATURE OF FINANCING: Reserve

6. (a) YEAR OF EXPENDITURE - 1992 \$ 50,000
 - 1993 \$
 - 1994 \$ 2,750,000
 - 1995 \$
 - 1996 \$
 - 1997 & after \$

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: 3.0

8. ADDITIONAL ANNUAL OPERATING COST: \$ 120,000

9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

The parking demand will only be worsened & the city criticized.

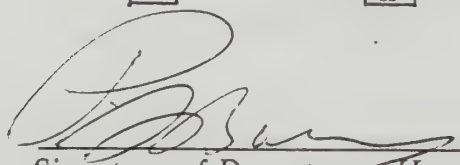
10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☐

Yes ☒

- AT CITY'S COST OF \$ 3,000,000

- SCHEDULED TO START IN THE YEAR 1992


Signature of Department Head/Local
Board Manager
(for Standing Committee)

Nov 8/91
Date

Signature of C.A.O.
(for Finance & Administration
Committee)

Date

1992-1996 CAPITAL BUDGET

1. DEPARTMENT/LOCAL BOARD: P/A
2. PROJECT NAME: Up-grading of existing Parking Facilities.
3. DETAILED DESCRIPTION, STATING PURPOSE, TYPE OF PROJECT,
LOCATION, ETC.:

This project allows for major repairs & renovations and upgrades in all parking facilities. e.g. re-surfacing, fence replacement, retrofitting decks after concrete delamination caused by salt decay, plus installation of modern equipment.

4. (a) PROJECT STARTING (Year of O.M.B. approval)
DATE (MONTH-YEAR): 1992
- (b) PROJECT FINISHING DATE (MONTH-YEAR): 1996

- | | | |
|--------|--|---------------------|
| 5. (a) | GROSS COST OF PROJECT
IN YEAR-OF-START DOLLARS: | \$ 1,200,000 |
| (b) | LESS SUBSIDIES AND OTHER RECEIPTS: | \$ _____ |
| (c) | NET CITY'S COST: | \$ 1,200,000 |
| (d) | ANNUAL CAPITAL FINANCING COST: | \$ <u>195,000</u> |
| (e) | TOTAL CARRYING COST OF RETIRING DEBT: | \$ <u>1,950,000</u> |
| (f) | NATURE OF FINANCING: | Reserve |

- | | | | |
|----|-----|----------------------------|------------|
| 6. | (a) | YEAR OF EXPENDITURE - 1992 | \$ 600,000 |
| | | - 1993 | \$ 300,000 |
| | | - 1994 | \$ 100,000 |
| | | - 1995 | \$ 100,000 |
| | | - 1996 | \$ 100,000 |
| | | - 1997 & after | \$ |

7. ADDITIONAL JOBS TO BE CREATED BY THE PROJECT: 19.5

8. ADDITIONAL ANNUAL OPERATING COST: \$ NIL
9. EFFECT OF REDUCTION IN COST, DELAY OR ELIMINATION OF THIS PROJECT:

This type of work only gets more expensive with delays.

10. WAS THIS PROJECT IN LAST YEAR'S APPROVED CAPITAL BUDGET?

No ☐ Yes ☒ - AT CITY'S COST OF \$ 775,000
- SCHEDULED TO START IN THE YEAR _____

Signature of Department Head/Local
Board Manager
(for Standing Committee)

Nov 8/91

Date _____

Signature of C.A.O.
(for Finance & Administration
Committee)

Date _____

PROJECT NUMBER 100

- This expenditure depends on the availability of land and may be expended in varying amounts. Of prime interest is the periphery of the Central Business District.

- It is to the city's advantage to acquire key property in the CBD while land prices are "soft".

- Rev. 91/09/10



September 12th, 1991

MEMO TO: Alderman Brian Hinkley, Chairman
Finance and Administration Committee

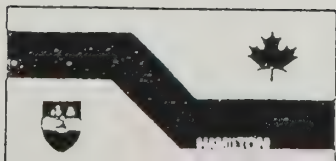
FROM: Mayor Robert Morrow

Would you please place on the next agenda of the Finance and Administration Committee an item concerning the outstanding gift to the Art Gallery of Hamilton and, obviously, to the people of Hamilton, by a prominent Hamilton philanthropist.

Ms. Cheryl York, along with representatives of other affected groups, is arranging for plans for the placement of sculpture for this project and a presentation should be made now to the Committee.

RMM:tt

cc. Mr. John Thompson, Secretary, Finance and Administration Committee



September 12, 1991

~~D R A F T~~

Mayor Robert Morrow
Corporation of the City of Hamilton
71 Main St. West
Hamilton, Ontario

Dear Mayor Morrow:

The Art Gallery of Hamilton is in the process of receiving a significant number of works of art from the Hamilton businessmen and benefactor, Irving Zucker. Among these items are a number, approximately five, that could if conditions were appropriate, be considered for placement in exterior settings. Obviously, Mr. Zucker is a sharing man and is supportive of an initiative to exhibit and thereby share some of these works in an outdoor and readily accessible environment.

Subject to the normal curatorial concerns for preservation and security of the art works, the AGH is willing to assist in enhancing some of our neighbouring outdoor and public spaces. Obvious sitings are City Hall plaza and environs, Commonwealth Square, and Summer's Lane.

Mr. Zucker has expressed interest in adding to his collection with the 'open air' in mind if agreement in principle can be arrived at for such a proposal between the City and the AGH. We feel this would extend our collection, which we have a mandate to do, and has the potential of enhancing the significance of our major public spaces and adding to the enjoyment and quality of life of the citizens of this great City.

Yours sincerely,



Robert F. Swain
Director

gb

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 September 12

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Ukrainian Canadian Congress
Hamilton Branch - Statue on City Hall Property

RECOMMENDATION:

That the specific site selection for the erection of a bronze life size statue on City Hall grounds commemorating the centennial of the settlement of Ukrainians in Canada be tabled until a study of the grounds of City Hall by an Urban Design Consultant has been completed which is expected to be in 2-3 months time.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

City Council at its meeting held August 28, 1990 on the recommendation of the Finance and Administration Committee approved of the erection of a bronze life size statue at a location west of the City Hall building near Bay and Main Streets, the installation and specific location of which would be subject to the consideration and approval of the Finance and Administration Committee and City Council.

The site originally contemplated for the sculpture was west of the building in the vicinity of the Engineering Commemorative Time Capsule. However due to the size of the sculpture that has been selected (seven life size figures of people on a base measuring 12 feet x 6 feet), more space is required.

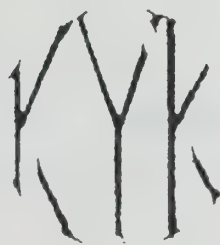
While I can appreciate the Ukrainian Canadian Congress, Hamilton Branch is anxious to proceed with this project, it is the opinion of a number of City Departments involved in developing and maintaining the grounds of City Hall that a specific site selection be delayed for the next 2-3 months until a study of the grounds by an Urban Design Consultant has been completed. A proposal to conduct this study is the subject of a separate recommendation which will be presented to the September 19th meeting of the Finance and Administration Committee.

There have been a number of proposals to place monuments, signs and statues upon the grounds of City Hall in the past couple of years. Staff and members of Council alike have expressed the opinion that a development plan of City Hall grounds setting out the most appropriate location for these works of art should be created rather than simply reacting to each request. Furthermore, Members of Council will be apprised shortly of a very unique and generous offer to enhance the grounds of City Hall with certain other works of art. Substantial space will be required.

In order not to compromise any development of the grounds and in order to select the best location possible for the benefit of all concerned, we believe the site selection for the Ukrainian Congress statue should be delayed for this brief period of 2-3 months.

- c.c. - Mr. J. G. Pavelka, P.Eng., Director of Public Works
- Mr. R. Sugden, Director of Culture & Recreation
 Attention: Ms. C. York
- Mr. J. G. Pavelka, P.Eng., Director of Public Works
 Attention: Mr. R. Chrystian
- Mr. K. Nutley, Senior Property Officer, Real Estate Division
- Mr. R. Swan, Manager, Building Operations and Maintenance Division

UKRAINIAN CANADIAN CONGRESS
HAMILTON BRANCH



LE CONGRÈS UKRAINIEN DU CANADA
SECTION DE HAMILTON

КОНГРЕС УКРАЇНЦІВ КАНАДИ
ВІДДІЛ У ГАМІЛЬТОНІ

1991 09 11

Mr. John Thompson, Secretary
Finance & Administration Committee
City Clerk's Office
71 Main Street West
Hamilton, Ontario L8N 3T4

Dear Mr. Thompson:

In reference to our letter dated 1991 03 15 regarding the location at City Hall for the placement of a sculpture commemorating the centennial of the settlement of Ukrainians in Canada we are presenting for your consideration a change in our request.

This change arose as a result of a visit to Hamilton and specifically to City Hall by William Epp of Saskatoon, the sculptor we have engaged for this project. Mr. Epp visited the City Hall site on Sunday morning, September 8th with a view to observing the chosen and proposed new location for light reflection, direction the sculpture would be facing, etc. After considering all the factors involved he suggested 3 other locations that would, in his opinion, be more appropriate for the sculpture. He and the committee very strongly feel that the new proposed location or suggested alternatives would greatly enhance City Hall property as well as the sculpture itself. William Epp is a well known Canadian sculptor and has vastly contributed to the arts in various cities in Canada, especially in the city of Saskatoon. He is highly respected in his field across Canada and other countries as well as at the University of Saskatchewan where he is a faculty member. We, therefore have great trust in his recommendations and expertise and respectfully ask for your consideration of our request.

With this letter we are enclosing 3 exhibits as follows:

- Exhibit 1 - the approved proposed location
- Exhibit 2 - the proposed location as requested 1991 03 15
- Exhibit 3 - the new proposed location with 2 alternatives, numbered consecutively 1, 2 and 3

The Ukrainian community appreciates the opportunity to work with you in having the sculpture placed in the best possible location for all concerned, and ask for your consideration in dealing with our latest request. We would be pleased to meet with you to further discuss our proposal.

Thank you for your assistance in this matter.

Sincerely

Irene Sushko

Irene Sushko, Chairman
Celebration Committee, UCC, Ham. Br.

Prof. Ihor Chorneyko, President

UCC, Hamilton Branch

PROPOSALS SUBMITTED BY:

**Igor Barta, Architect,
5110 Harvester Road,
P.O. Box 127 M.P.O.,
Burlington, Ontario.**

**S. M. Roscoe Inc., Architects,
1 James Street South, Suite 701,
Hamilton, Ontario.**

**Marek Radojewski, Architect,
249 East Avenue North, Suite A,
Hamilton, Ontario.**

**Moore George Associates Inc.,
119 Spadina Avenue,
Toronto, Ontario.**

**Trevor Garwood-Jones Architects Inc.,
185 Young Street,
Hamilton, Ontario.**

**Corban Landscape Architects,
429 Queen Street East,
Toronto, Ontario.**

**Fundamental Design Associates Inc.,
11 Harrisford Street, Unit 15,
Hamilton, Ontario.**

**Hotson Bakker Architects,
46 Sherbourne Street,
Toronto, Ontario.**

**A. J. Diamond, Donald Schmitt & Co.,
2 Barkeley St., Suite 600,
Toronto, Ontario.**

Architecture, Planning and Landscape Architecture

2 Berkeley Street,
Toronto, Canada M5A 2W3
Tel: (416) 862-8800
Fax: (416) 862-5508

January 3, 1992

Ms. Cheryl York
Arts Coordinator
Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Ms. York:

We are very pleased to submit this proposal to undertake an Urban Design Study of City Hall Grounds.

A plan to guide future development of the civic grounds holds great promise to enhance the Civic Square as a focal point for the community. A plan which enhances the landscape design, clarifies the role of public art in the space and improves the quality of use and enjoyment by all citizens will add immeasurably to the quality of life of the City.

Our firm has considerable expertise in urban design, particularly in respect of Civic Centres and their public spaces including:

- Jerusalem City Hall
- Newcastle Town Hall
- Richmond Hill Civic Centre
- Ajax Civic Complex
- Mountainview City Hall, California

We also have extensive experience with Public Art policy and programs. I have been chair of the Public Art Commission in the City of Toronto since its inception in 1986. I have been directly involved and responsible not only for policy formation but for the detailed implementation of over \$18 million in public art projects.

Our firm has maintained public consultation as the cornerstone of our urban design practise for 20 years. We thus have the commitment to ensure the final plan is based on consultation and the support of all constituencies.

.../2

Ms. Cheryl York
Corporation of the City of Hamilton
January 3, 1992

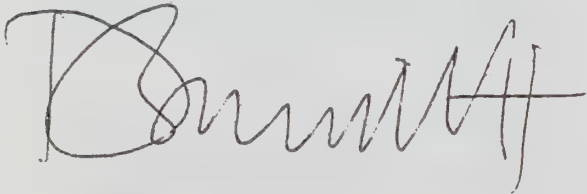
Page 2

Our team has been strengthened by joining with Anthony Mills Ltd., public art consultants with special knowledge of Hamilton, its community leaders and public art issues.

Our firm has developed and employs the most sophisticated urban design modelling on computer in Canada. This capacity will provide compelling means of presenting design options to yourselves and the community and will assist in completing a thorough plan within the tight time frame allotted.

We are very keen, as a team, to produce an exemplary plan which meets your needs in a precise way. We look forward to meeting with you and your selection committee.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Donald Schmitt'. The signature is fluid and cursive, with a large initial 'D' and a stylized 'H' at the end.

Donald Schmitt

/dd
encls.

Relevant Experience

A.J. Diamond, Donald Schmitt and Company

A. J. Diamond, Donald Schmitt and Company has extensive experience in the design and implementation of urban design in urban contexts. The firm's work, whether in architecture or planning, is known for its sensitivity to the urban context and its respect for existing patterns and complexity in the city.

The \$100 million Jerusalem City Hall project currently under construction shows the firm's design capability, integrating major new construction within an important historical context, finding public space within the complex of buildings and giving it character. The City Hall project also shows the firm's understanding of how to use landscape and public art in linking public spaces and creating appropriate identity.

Urban Design Experience

Expo '98 Master Plan, Garrison Common, Toronto

- four development options utilizing existing building infrastructure of CNE for Cabinet review
- complete financial analysis of each option
- project completed in 4 weeks

Etobicoke Waterfront Urban Master Plan

- complete urban design built form guidelines and detailed streetscape design for Motel Strip lands
- 50 acre site, including 2700 units of housing and 62,000 sq.m. commercial space
- for Ministry of Municipal Affairs

Ataratiri Urban Design Concepts

- built form master plan for 65 acre site to house 12,000 persons on site
- urban pattern based on historic Toronto models

Bloor Yorkville Urban Design

- design guidelines for street lighting, tree planting, paving patterns, pedestrian systems and open space network
- design & installation of new light standards, paving and sidewalk markers phased over 5 years

Seagram Lands, Waterloo

- value added master plan for disposition of 11.5 acre industrial site adjacent to downtown core
- adaptive reuse of existing buildings

Gooderham & Worts Urban Design Study

- development of design guidelines for new construction and open space network on site
- maintenance of 500,000 sq.ft. of renovated heritage building
- guidelines accepted whole heartedly by owner and his design group

Near East Side District, Dallas

- 150 acre neighbourhood of derelict but historically and architecturally valuable warehouses
- urban design guidelines for building renovation, infill and streetscape improvements

CMHC Site, North York

- complete master plan for site development adjacent to Spadina Expressway
- mix of affordable housing, seniors and commercial uses
- complete community acceptance of plan

Pointe a Carcy, Quebec

- Perez Corporation
- Winner of competition, for urban precinct at the edge of the St. Lawrence river including residential, condominium, extensive retail, office and a Sheraton Hotel.

Public Buildings Experience

Toronto Free Theatre Master Plan, Toronto

- full development and restoration master plan including reuse of eight existing historic buildings on site
- full physical design resolution to incorporate 3 theatres
- Phase 1 and 2, masonry restoration and administrative office accommodation completed 1989

Toronto Design Exchange, Bay Street

- feasibility and concept development study to establish theme, concept and layout for the old Toronto Stock Exchange Building, Bay Street
- full physical design and master plan

Royal Opera House, Covent Garden, London, England

- first award, technical and design review committee in an international competition for full restoration and expansion for the Covent Garden Opera

Newcastle Municipal Office Complex

- restoration, adaptive reuse and major office addition for 19th Century Townhall, Bowmanville, Ontario
- winner, Ontario Association of Architects Award 1991

**Toronto Power Generating Station
Feasibility Study and Master Plan**

- complete feasibility analysis, programming and physical design options development for redundant, neo-classical hydro station at Niagara Falls
- completed for Heritage Branch, Ministry of Culture and Communication

Jerusalem City Hall

- Olympia and York Developments
- 450,000 sq.ft. new and renovated office space
- under construction

**Earth Sciences Centre, University of
Toronto**

- 330,000 sq.ft. of state-of-the-art academic office and lab facility, housing 1,800 persons
- incorporation and extension of existing building fabric
- full teaching, classroom and library facilities

Innis College, University of Toronto

- library, classrooms, academic offices and multi-purpose auditorium
- incorporating buildings retrofit of existing

**National Ballet School, Oliphant
Theatre, Toronto**

- restoration and incorporation of an historic mansion with a totally new, technically sophisticated stage, auditorium and dance studio complex
- winner of 1989 Toronto Historical Board Award of Merit

York University Student Centre

- new 110,000 sq.ft. student services complex, opened September 1991

Other related streetscape and urban design studies involve projects in commercial centres outside of the urban core such as the **Ajax Street Corridor Study**, the **Etobicoke Motel Strip Urban Design Master Plan**, the **Pickering Main Central Area Study**, the **Halton Region Transit Opportunities Study**. Still other streetscape and urban design studies have been conducted outside the **Greater Toronto Area** - the **Near East Side and Oaklawn Studies in Dallas, Texas**, and the **Pointe à Carcy** project in Québec City. All of these projects demonstrate the firm's experience and ability to undertake the Hamilton City Hall Plaza Urban Design Study.

**A.J. Diamond, Donald
Schmitt and Company**

Public Art Experience

Through its partners, A. J. Diamond, Donald Schmitt and Company have played a significant role in public art administration in the Toronto Region. Donald Schmitt is currently serving and has served for the past six years as **Chairman of the Public Art Commission** for the City of Toronto. In this position he has been directing the development of public art policy for the City of Toronto and in administering the policy on a direct basis with several major developments including the **BCE Development Project** at Front and Bay Streets, the **Skydome** and the **Bay-Adelaide Project**. He has also been instrumental in reviewing competition guidelines and the implementation of the **Monument to the Chinese Railroad Worker** at the Spadina Avenue Bridge at Front Street and the **Railroad Underpass Project** at Spadina and Dupont. These projects have involved significant community input and consultation.

In 1986, the firm won a Canada wide public art competition for the **Calgary Olympic Arch**. Working in collaboration with artist Collette Whiten, the firm executed the large project arch which now sits on **City Hall Plaza in Calgary**.

A. J. Diamond, Donald Schmitt and Company have worked on many large scale projects involving public art components. The **Jerusalem City Hall** project integrates public art into all of its outdoor spaces. One major component is the fountain and archimedes screw which form the central link between the north and south areas of the site. Projects such as the development proposal for **40 Bay Street**, the **Urban Design Study for Gooderham and Worts** and the **Pointe à Carcy** project all contain major components of public art and/or performance spaces which are in effect central to the overall concept for each of the projects.

**A.J. Diamond, Donald
Schmitt and Company**

**Landscape Architecture
Expertise**

Landscape architecture design guidelines have been an integral concern in our urban design projects. For the **Highway 2 Corridor Study for the Town of Ajax** stringent landscape measures were adopted as a strategy to create a distinctive and recognizable corridor along the highway, and to create a more civilized pedestrian environment in the suburban area. Currently, A.J. Diamond, Donald Schmitt and Company is working on the master plan and landscape architecture design guidelines for the **Bronte Harbour Waterfront Park and Marina**. Although this is a very different project type from the Civic Centre some of the objectives are very similar; ensuring that parkland and greenspace is integrated with the design; ensuring that it is an amenity for all the residents and not for an exclusive group; keeping parking and vehicular circulation from interfering with pedestrian activities. Landscape guidelines for the Bronte Waterfront project, intended to be constructed in phases, relate to the quantity and quality of planting, pavement surfaces, signage and site furniture.

Anthony/Mills Fine Art Ltd.

Projects of Note

*The Broadcast Centre Development
Project
Cadillac Fairview Corporation*

The Broadcast Centre site featuring spectacular new buildings by Philip Johnson and Carlos Ott will also include a park space that will contain a specially commissioned work of art. Anthony/Mills Fine Art Limited have been hired as art consultants for this important project.

*Number One York Quay
Graywood Developments*

Number One York Quay comprises a condominium development spectacularly located on the waterfront at the foot of York Street and Queen's Quay. Anthony/Mills Fine Art Limited are guiding the competition for artwork to complement the site.

The Bay Adelaide Centre

Markborough Properties and Trizec Equities are joint venture partners in the development of one of Toronto's most prestigious, commercial developments in the financial core of the city. Anthony/Mills Fine Art Limited are administering the public art component of this project developing new applications for artwork to benefit the client, the users of the development and the city. Completion is scheduled for mid 1994.

*CN Real Estate
Railway Lands Precinct 9*

CN Real Estate has engaged Anthony/Mills Fine Art Limited to act on its behalf to develop a comprehensive public art program for Precinct 9 of the Railway Lands, the area immediately west of SkyDome. This project is currently on hold pending a city council review.

*CIBC Development Corporation
Massey Harris Park*

CIBC Development Corporation will be commissioning an exciting work of art for placement in the Massey Harris Park located in the King Business Centre lands immediately to the north of their proposed information and technology centre.

*King Business Centre
Stafford/Wellington Building & 901
King Street West*

The developers of King Business Centre (Counsel Properties, Olympia & York and Roy L. Properties) have engaged Anthony/Mills Fine Art Limited to develop a unique public art program for these properties. The program will be implemented in conjunction with their construction schedule.

*Cadillac Fairview Corporation & Eaton
Properties
Hamilton Eaton Centre*

Anthony/Mills Fine Art Limited are acting on behalf of Cadillac Fairview and Eaton Properties in the selection for a commission for the Hamilton Eaton Centre. The competition is held in co-operation with the Hamilton & Region Arts Council.

*Trinity College
University of Toronto*

Anthony/Mills Fine Art Limited have undertaken a major research project for cataloguing, co-ordinating photography and researching the diverse art collection of the College.

Study Team

The study team for the Civic Square Urban Design Study will make use of the three areas of professional expertise found in the firm of A.J. Diamond, Donald Schmitt and Company, Architects, Landscape Architects and planners. The advantages of working with one design firm to cover all components of the urban design plan is an overall efficiency which will result in a more consistent design concept and a saving in time and cost.

Our team is strengthened with the expertise of Anthony/Mills Fine Art Ltd. Anthony/Mills Fine Art Limited are experienced in the development of comprehensive public art programs through all stages of development; site identification, budget allocation, artists selection, contract, public information and implementation stages.

A. J. Diamond

A. J. Diamond, Senior Partner would be involved in the project on an advisory basis with emphasis on the design alternative stage. Mr. Diamond is a leading Canadian architect and urbanist and was partner in charge of the Jerusalem City Hall project, the Region of Halton Transit Opportunities Study, the planning and urban design studies for the City of Dallas, 40 Bay Street and Pointe à Carcy. He is particularly effective in dealing with the public process in planning projects and would be involved in any public meetings on the project.

Donald Schmitt

Donald Schmitt, will be involved as Partner in charge of the project with ultimate responsibility for the direction and design of the project. As partner responsible for the Bloor Yorkville Streetscape Design Study, Newcastle City Hall and Ajax City Hall Design, Gooderham and Worts and the Main Streets Architectural Competition, Mr. Schmitt is well qualified to lead the Hamilton City Hall Design Study. Mr. Schmitt is currently involved in the Seagrams Lands Urban Design Study in Waterloo and design of the New Fine Arts Building at the University of British Columbia. His continuing role as founding Chairman of the City of Toronto Public Art Commission has given him detailed experience with public art issues.

Catherine Benotto

Catherine Benotto is both an architect and landscape architect and will be involved in all landscape and public space design for the project. This is seen as an essential component of the concept both because the Civic Square area will depend on public space and linkage of public space as its connective fabric and because landscape design can be such an effective means of creating unity within an existing context. Catherine has been responsible for landscape design of the Jerusalem City Hall project, the Bronte Waterfront project as well as several other office urban design projects.

David Hileman, Architect

David Hileman will assist in production of computer graphics and perspective drawings in illustrating the various concepts and final plans over the course of the study.

**Anthony/Mills Fine Art
Ltd.**

Karen Keenlyside Mills

Karen Keenlyside Mills has been in the art business for 19 years, worked with leading Canadian dealers, managed her own gallery in Vancouver and has been a collector for 20 years. She currently sits as a sustaining member of the Gardiner Museum Touring Committee and is a member of the Board of Trustees of the Art Gallery of Hamilton. She is a graduate of the Christie's Fine Arts Course, London, England and has vast experience in working with collectors, museums and corporate collectors. She manages the Fine Art Portfolio of the Firan Foundation, an endowment by the Firestone family. In addition, she sits on the Arts Advisory Steering Committee for the City of Hamilton, a group advising City Council on the development of a public art policy for Hamilton.

Robin Thomason Anthony

Robin Thomason Anthony is a Toronto based design and marketing specialist who is a five year veteran of the art business and a veteran gallery goer and collector. She brings a background in economics and a specialty in business management. She is a graduate of the University of Western Ontario and the Fashion Institute of Technology in New York.

Curriculum Vitae information on each of the team members follows in the section on project experience.

Methodology

In a general way the firm's methodology is based on an iterative work plan which involves the City Arts Coordinator the Departments of Property, Public Works and Culture and Recreation, elected officials, technical resource personnel, key representatives of the user groups and the public along with the project consultants in a dialogue of information gathering, concept testing and guideline development. The study will involve active participation of all parties so that the final product is a true representation of the needs and aspirations of the community.

This approach is supported by the regular meeting schedule with the steering committee, meetings with representatives of community organizations, public meetings and presentations to City Council. If more meetings beyond those identified in the schedule are required to develop support for the design, the consultants will make arrangements to organize them. As a firm, our experience has been that the key to successful implementation is to build consensus for a plan, and that the best way to achieve consensus is to involve all stakeholders in the design process.

Detailed Work Program

Orientation Meeting - Project Committee Meeting #1

1.0 Background Research

The first step in the study will be an orientation meeting with the full consulting team and project committee to discuss the study process and schedule and to identify local resources to assist in conducting the study.

Site Analysis

A full inventory, mapping and site analysis will be completed, documenting at least the following issues:

Pedestrian Activities

- Examination of pedestrian space needs related to
 - day-to-day use patterns
 - street vendors
 - retailing
 - ceremonies

Pedestrian Circulation

- Examination of the pedestrian network
- Evaluation of plaza areas and sidewalk space
- Examination of the accommodation of bicycles
- Examination of barrier free access related to street crossings and transit access.

Site History

- Summary of the history of the street with emphasis upon
 - historic sites
 - significant ethnic/cultural/social patterns
 - thematic references for plaza design

Spatial Analysis

- Spatial analysis of the street with respect to containment, edges, views and hierarchy
- Identification of relationships to context

Built-form/Architectural Characteristics

- Overview of architectural history, styles and built-form
- Identification of character areas
- Identification of changes/trends/patterns

Climate

- Qualitative examination of sun-shade patterns, wind, noise and snow and opportunities for amelioration

Furnishings

- Inventory and assessment of existing street furniture including lighting, benches, waste baskets, pavements, utilities hardware and adjacent structures including bridge railings, balustrades, walls, etc.
- Identification of contextual furnishing systems

Signage

- Qualitative inventory of existing traffic, transit and information signs
- Identification of opportunities for consolidation or improvement of signage systems
- Identification of opportunity and need for special signage such as banners, etc.

Utilities

- Examination of existing and future utility plans
- Examination of utility restrictions with respect to streetscape design in general, and specifically, the placement of trees, poles, etc.
- Identification of design opportunities with respect to upgrading utility elements such as vents, vaults, boxes
- Identification of where cost premiums may be necessary to improve streetscape design

Parking

- Existing parking patterns, access points and surface areas

Vehicular Movements

- Existing and proposed
- Identify sight lines for motorists with respect to locating element sin the public realm -- trees, poles or other visual obstructions.

Where required this data collection will be extended to include developments and land areas adjacent to the Civic Square study area, so that a good contextual base can be established. The information will be mapped and catalogued for reference throughout the study period.

Interviews with Key Community Leaders

As a final component of the Background Research stage, the consultants will conduct interviews with a number of key individuals and representatives of key organizations to establish individual priorities and group requirements. The people to be interviewed will be identified by the steering committee at the orientation meeting and would include the Board of the Art Gallery, local aldermen, members of the public, major private landowners, City Department Heads, city technical staff, etc. These interviews would be conducted either in person or by telephone as required by the particular circumstance.

Public Art

- Review of existing/planned public art on City Hall plaza and environs
- Review of relevant precedent programmes for involvement of artists in conceptual design and in streetscape projects.
- Explore and resolve issues revolving around artist's potential contributions to:
 - overall design strategies
 - concepts for specific plaza design elements
 - concepts for public art projects to be implemented outside the scope of this study
 - concepts for involving the community
- Identify potential areas of involvement for artists in design of the plaza
 - overall conceptual issues, e.g. continuity vs. diversity
 - systematic and repeating elements, e.g. shelters, pergolas, outdoor theatre
 - specific locations, e.g. pedestrian crossings, platforms

Proposed Concept and Design Strategies

This phase includes the establishment of urban design strategies and resultant preliminary concepts. The strategies will serve as design criteria in the assessment of the concepts by the study team and, major stakeholders and client, and the general public.

Overall Design Approach/Strategies

- Establish broad design strategies related to the following:
 - design approach to the entire plaza area and its place within the city
 - definition of and response to distinct character areas
 - response to the special needs of user groups such as the disabled, cyclists, vendors, etc.
 - approach to the integration of public art
 - interpretation of the City Hall plaza, its history and place within the city

Specific Design Strategies

- Establish strategies for the design and arrangement of site elements including
 - ceremonial displays
 - trees and other landscaping
 - furniture including benches, waste baskets, etc.
 - signage and other information systems
 - fencing and other barriers
 - lighting
 - bicycle stands
 - pavements
 - transit platforms and shelters
 - portal treatments

Steering Committee Meeting

The second Steering Committee meeting would be held to discuss the issues raised by the various scenarios for the Civic Square Urban Design. A minimum of three options would be presented, illustrated with preliminary plans, perspective computer illustrations, explanatory diagrams and evaluation summaries. The consultants will be looking for specific recommendations and detailed comments on the various options and how they might be further developed or improved.

Selection and Refinement of Preferred Development Option

Based on the results of the Steering Committee presentation, and public consultation, a preferred option will be selected and refined by the consultant. the option will form the basis for the design guideline recommendations and the implementation strategy for the plan.

Urban Design Plan

The Urban Design Plan will be developed to describe the following elements of the urban design plan:

- landscape and open space - sun, shade and wind protection, vegetation, tree preservation, paving, furniture, lighting, preservation of significant views
- pedestrian circulation areas and amenities
- bicycles, transit linkages
- parking and vehicular access
- site servicing, deliveries, snow removal
- linkage to the central business district, and surrounding context
- signage and identification issues
- ceremonial facilities such as banner holders, stage facilities

Preparation of Draft Final Report

The Draft Final Report will serve as a complete summary of the study process and conclusions. It will be in a 8.5" x 11" format, with reduced graphics, and the following proposed Table of Contents:

- program
- site conditions
- site planning principles, goals objectives and performance criteria
- urban design master plan
- open space plan
- landscape plan
- urban design guidelines
- phasing and implementation guidelines

Steering Committee Meeting

This meeting will serve as a presentation of the draft final report to the Steering Committee, and an opportunity for approval in principle of the Draft Final Report. Unless a subsequent meeting is required for acceptance of the Final Report, the meeting could be the last meeting of the committee.

Presentation to Council

As part of the circulation of the draft final report, a presentation of the results to Council will provide an opportunity to explain the design rationale and build support for the design. Council support for the recommendations of the report will assist with eventual implementation.

Final Report

Based on the comments and reaction to the Draft Final Report through presentations to the Steering Committee, Council and the public, a final version of the report will be completed for distribution with the required three copies.

Representation of the Urban Design Concepts Computer Modelling

Development options can be modelled and presented, in a dynamic computer model utilizing three dimensional computer graphics workstations utilizing ARRIS software. This system will generate sequences of perspectives or animated walkthroughs which can greatly enhance the communication of design elements for decision. Specific analysis can be performed including sun-shadow, lighting and colour studies. The development and refinement of physical design options is an iterative process leading to the elaboration of a dynamic and visionary model of the urban design concepts for the City of Hamilton.

Computer generated imagery can form the core of an animated slide, film or video presentation of the Urban Design Plan. This will prove to be an invaluable tool for public presentation and discussion of the plan with the Municipality, the Community and the Development Sector.

THE CORPORATION OF THE CITY OF HAMILTON

URBAN DESIGN STUDY
CITY HALL GROUNDS, HAMILTONFORM OF PROPOSAL

Mr. T. Bradley
Manager of Purchasing
City Hall, Hamilton

Dear Sir:

We, the undersigned, hereby agree to provide the above service in accordance with the Request for Proposal (RFP) issued December 2, 1991, as follows:

Breakdown of costs to include:

Basic Fee to Provide Consulting Services (excluding control supervision)	\$ 13,400.00
Expenses	\$ 600.00
Upset Limit to Provide Contract Control Supervision	\$ N/A
TOTAL	\$ 14,000.00
GST EXTRA AT 7%	\$ 980.00
	\$ 14,980.00

NOTE: If NOT submitting a bid, this form must be returned by due date and time with a brief explanation why you are unable to bid.

A.J. Diamond, Donald Schmitt and Company, Architecture, Planning and Landscape
Architecture

Name of Company

2 Berkeley Street, Suite 600, Toronto, Ontario M5A 2W3

Street Address of Company, including postal code

Authorized Signature

Donald Schmitt

Please Print Name

(416) 862-8800

Telephone Number

January 3

Date of Proposal

1991²

(416) 862-5508

FAX Number

Awards

- 1991** **Richmond Hill Central Library**
Queen's University Library
Jerusalem City Hall
Lois Hancey Aquatic Centre
First Prize, Best Commercial Design (Computer Graphics)
ARRIS Design Contest

Newcastle Administrative Centre
Ontario Association of Architects
Design Award

- 1990** **Burns Hall Officer's Training Facility**
Ontario Masonry Awards
Honourable Mention

Burns Hall Officer's Training Facility
City of North York
Urban Design Award

Jerusalem City Hall
Canadian Architect
Award of Excellence

Earth Sciences Centre
Ontario Mason's Relations Council
Award of Excellence

Earth Sciences Centre
Toronto Historical Board
Award of Merit

- 1989** **National Ballet School**
Toronto Historical Board
Award of Merit

York University Student Centre
Canadian Architect
Design Excellence Award

A.J. Diamond
Toronto Arts Award
Architecture and Design

- 1988** **Olympic Arch**
1988 Calgary Olympics
Olympic Arts Festival Gold Medal

- 1987** **Metropolitan Toronto Central YMCA**
Ontario Association of Architects Design Award

Burns Building, Calgary
Credit Foncier Award for Building Preservation

Metropolitan Toronto Central YMCA
Governor General's Award



National Ballet School

A.J. Diamond, Donald Schmitt and Company Awards

1985 **Berkeley Castle**

Ontario Masons' Relations Council
Award of Merit

Metropolitan Toronto Central YMCA

Ontario Masons' Relations Council
Award of Excellence

1985 **Village Terrace**

Canadian Housing Design Council
Governor General's Award for Residential Design

1984 **Japanese Restaurant Centre**

Award of Excellence
Canadian Architect Yearbook

Royal Opera House Covent Garden

International Competition
Finalist

Berkeley Castle

National Award of Honour
Heritage Canada Foundation

1983 **St. Michael's Lands**

Ontario Association of Architects/Toronto Life "Homes"
Residential Award - High Rise Multiple Housing

Berkeley Castle

Credit Foncier Award
Honourable Mention

La Tete Defense

International Design Competition
Honourable Mention

1982 **Alcan Aluminum Corporation**

Interiors Award
Executive Office Winner

University & Wellington

Winning entry in a limited competition

Mississauga City Hall

National Architecture Design Competition
Merit Award

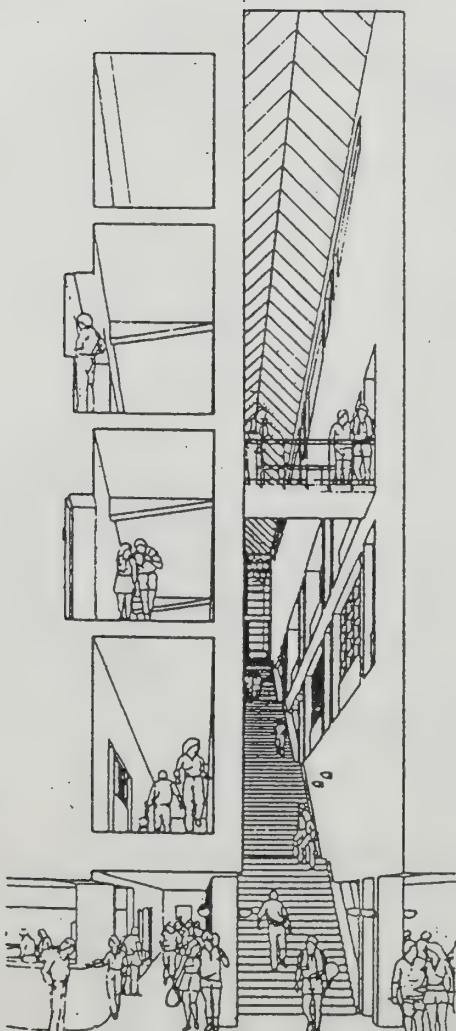
Metropolitan Toronto Central YMCA

Canadian Architect Yearbook Award

1979 **Communications Award Heritage Canada**

1978 **Citadel Theatre**

Stelco Design Award 1978
City of Edmonton Design Award



Awards

1978 Westover Park Estates

St. Mary's, Ontario
Award of Excellence
Canadian Architect Yearbook

Dundas Sherbourne Housing

Canadian Housing Design, Council Award
Urban Design Magazine Award

1977 Queen's University Housing - restoration

Kingston, Ontario
Regional Award of Honour, Heritage Canada

Talka Community

Mississauga, Ontario
Award of Excellence
Canadian Architect Yearbook

1976 Dundas Sherbourne

City of Toronto Non-Profit Housing Corp.
Design Award Program to Encourage and
Honour Excellence in Architecture
Ontario Association of Architects

Hydro Block

City of Toronto Non-Profit Housing Corporation
Design Award for Neighbourhood Dlpmt
Urban Design Magazine, New York, N.Y.

1975 Housing Union Building, University of Alberta

Stelco Design in Steel Award

Dundas Sherbourne

Heritage Canada National Honour Award

Housing Union Building

Students Union and the University of Alberta
Award for Residential Design, Honourable Mention

The Canadian Design Council Toronto Historical Board Award of Merit

1972 York Square

Canadian Design of Merit Citation Design Canada:
Representatives of Canadian Industry, the National Design Council
and the Department of Industry, Trade & Commerce

1971 O.M.A. Building

The Ontario Medical Association Award of Merit
The Ontario Masons Relations Council

Alcan Executive Offices

The Aluminum Company of Canada Ltd. Annual Design Awards
Ontario Association of Architects (Toronto Chapter)

1969 York Square

Annual Design Awards
Ontario Association of Architects (Toronto Chapter)
Habitat Space International Award

Housing Union Building



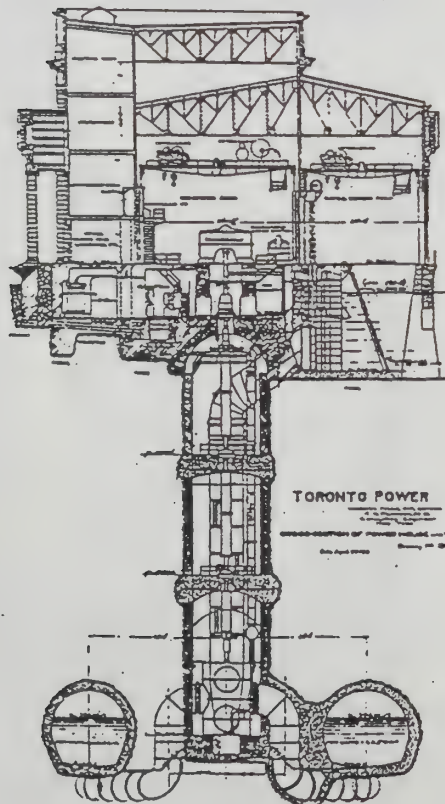
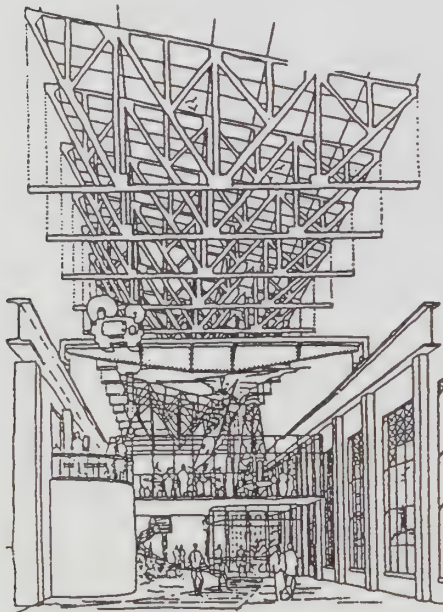
A.J. Diamond, Donald Schmitt and Company Planning and Programming Projects

Administrative Facilities Studies, Newcastle
Airport Corporate Study, Malton
Airport Impact Study, Pickering
Ajax Highway 2 Urban Design Study
Ancaster Village Core Study
Ataratiri Urban Design Study, Toronto
Barrie Public Library Functional Plan
Bloor/Yorkville Urban Design
Bronte Waterfront Study
Cambridge Museum
Children's Discovery Museum, Toronto
Cobourg Harbour Development Study
Comprehensive Planning Study, Oak Lawn, Texas
Core Area Study, Ancaster
Core Area Study, Aurora
Core Area Study, Dundas
Density Study, Suburban Conference, Toronto
Design Centre, Toronto
Development Control Guidelines, Calgary
Development Control Guidelines, St. Johns
Downtown Revitalization Program, Barrie
Downtown Revitalization Program, Perth
Durham Centre Civic Centre
East Annex Heritage District Conservation Study, Toronto
Energy Study, Richmond Hill
Environmental Impact Study, London, Ontario
Etobicoke Motel Strip Study
Expo '98, Toronto, Ontario
Federal Land Study, Welland
Fieldcote Museum, Ancaster
Gooderham and Worts Urban Design Study
Great Lakes Science Centre Feasibility Study, Burlington
Halton Region Transit Opportunities
Hamilton Beach Study, Hamilton
Hamilton High Density Residential Study
Health Sciences Area Planning, Edmonton
Heritage District Designation Study, Richmond Hill
Heritage House Feasibility Study, Toronto
Heritage Inventory Program, Vancouver
Highway Corridor Study, Halton Hills
Highway 2 Street Corridor Study, Ajax
Housing Policy Review, University of Alberta
Housing Study, St. Mary's
Hydro Impact Study, London
Lakeshore Psychiatric Hospital, Toronto
Langstaff Secondary Plan Study, Richmond Hill
Long Range Development Plan, Pickle Lake
Metro Toronto YMCA Programming
Moss Park Redesign Study, Toronto
Near East Side, Dallas, Texas
Newmarket Public Library, Feasibility Study



Official Plan Amendment, Bronte
 Official Plan Review, St. Mary's
 Osler Hoskin Harcourt Law Library, Toronto
 Parking Lot Study, Toronto
 Parks and Recreation Study, Chatham
 Performing Arts Centre/Petrochemical Interpretive Centre Feasibility Study, Samia
 Pickering Main Central Area Urban Design Study
 Prince Hotel Intensification Study, Don Mills
 Rail Relocation Study, Sudbury
 Railway Project, Israel
 Richmond Hill Civic Theatre
 Riverwalk Park, Ottawa
 Site Study, St. Lawrence, Phase 2, Toronto
 Solar Zoning Techniques Handbook, Toronto
 South Riverdale Community Health Centre
 Tertiary Plan, Unionville
 Town Centre, Gloucester, Ottawa
 University Planning, University of Alberta
 Union Facilities Program, University of Maryland
 Urban Design, Gooderham & Worts, Toronto
 Urban Design, Malvern Town Centre
 Urban Design, Pickering
 Vancouver Heritage Study, Vancouver
 Vaughan Public Libraries, 5 Year Development Plan
 View Preservation, Halifax
 Wentworth Village Conservation District
 Wilcox Lake, Richmond Hill
 Willow Creek Planning Study, Dallas, Texas
 City of York Urban Design Study

Toronto Power Generating Station



Renovation Feasibility Studies

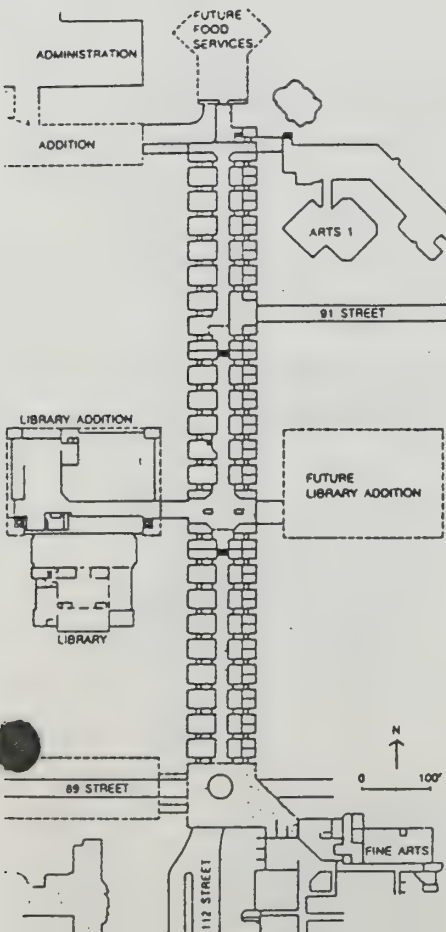
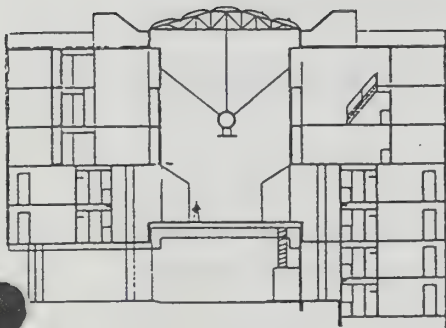
Amberglow Hotel, Ancaster
 Applewood Shaver Woodsworth Homestead, Etobicoke
 Bank of Nova Scotia Headquarters Building, Toronto
 Brunswick Street Housing, Halifax
 Carleton Place Town Hall, Carleton Place
 Church Street School, Aurora
 Daly Building, Ottawa
 Don Jail, Toronto
 Elgin Hotel & Music Hall, Dundas
 Fieldcote Memorial Park and Museum, Ancaster
 Fire Hall, Barrie
 49th Highlander's Building
 Gordon Block, Stratford
 Halifax Insurance Building, Toronto
 Heritage House, Ottawa
 Howard Building (999 Queen Street East), Toronto
 Jewish Community Centre, Bloor "Y" Branch, Toronto
 L'Ancienne Banque du Peuple, Montreal
 Laughlen Lodge, Toronto
 Lynnwood Arts Centre, Simcoe

A.J. Diamond, Donald Schmitt and Company Planning and Programming Projects

Manoir du Saguenay, Arvida
Maple Leaf Gardens, Toronto
McMaster University Student Centre - Drill Hall Conversion
Sandy Ford Place, Hamilton
Toronto Power Generating Station Study, Niagara Falls
Union Station, Toronto
West Side Y.M.C.A.
York University Student Centre

Special Projects

Academic Space Planning
Alcan Aluminum Products Siding Study
Conversion of Industrial Building
Dofasco-IBIS Manufactured Housing Study
Eaton's Centre Housing Massing Study, Toronto
Heritage Canada, Resource Team Reports, Samia
Ontario and St. John's, Newfoundland
Public Library Facility Guidebook
Residential Development Alternatives, Hamilton
Rideau Street Mall Study, Ottawa
Student Housing Design Guidelines, University of Alberta
Utilization of Urban Infrastructure Study



*Student Housing Guidelines
University of Alberta*



CITY COUNCIL
HAMILTON, CANADA

9
Alderman Don Drury

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 545-7077 - WARD 3

1992 January 14

JAN 16 1992

Mr. John Thompson
Secretary
Finance and Administration Committee

Dear Mr. Thompson:

Re: Temporary Business Tax

BACKGROUND

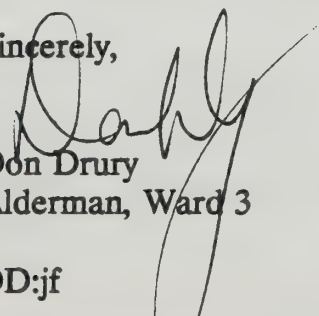
I have been recently been contacted by the owner of a local downtown business which operates a leather goods store. The owner is concerned about the practice by the Hamilton Convention Centre of renting out their facility to what is essentially a wholesale/retail business enterprise without the City recouping any business tax from this practice. During weekends prior to Christmas and throughout the year, one or two of these business operators sell literally hundreds of thousands of dollars of leather coats and leather goods which is in direct competition to established businesses in the City of Hamilton.

In that the business taxpayers of the City of Hamilton are indirectly subsidizing the Convention Centre and other city facilities, they would like an opportunity for the City of Hamilton to implement a Temporary Business Tax in such situations.

Mr. Harry Laskin and perhaps one or two other business owners would like to have an opportunity to address the Finance and Administration Committee regarding this matter and to determine if the City can implement a temporary business tax.

Would you please make the necessary arrangements for the Treasury Department to prepare a report regarding this matter and for interested parties to be invited to a public meeting.

Sincerely,


Don Drury
Alderman, Ward 3

DD:jf

c.c. Mr. Harry Laskin, Royal Connaught Hotel, 112 King Street East, L8N 1A8
Mr. Jordan Livingston, Livingston Jordan Furs Ltd., 105 Main E, L8N 1G6
Mr. Harry Hicks, Hicks Furs, 822 Main Street East, L8P 3E9

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

10

TO: Chairman and Members
Finance and Administration Committee

YOUR FILE:

FROM: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

OUR FILE:
PHONE:

SUBJECT: Selection/Nomination Committee(s) for
Citizen Interviews and Appointments

DATE: 1992 January 20

At its meeting held 1991 December 16, the Finance and Administration Committee approved of the implementation of a new procedure that requires all applicants, other than incumbents, to attend a mandatory orientation session in order to be considered for appointment to the Committees and Boards under its jurisdiction.

The orientation sessions were scheduled as follows:

Thursday 1992 January 17 - 10:30 a.m. City Council Chambers

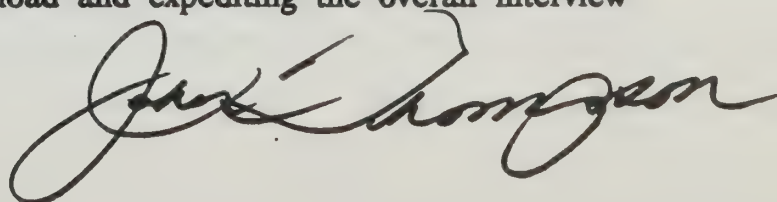
Monday, 1992 January 27 - 7:00 p.m. City Council Chambers

As you know, the purpose of the introduction seminar is to familiarize all applicants with the committees' mandate, to understand the time commitment required to be a successful candidate, to answer questions, etc.

I am pleased to report that our first session was very successful. The applicants found the brief presentations on the Committees and Boards very helpful and interesting and I received nothing but positive feedback.

Immediately following the final orientation session on 1992 January 27, arrangements should be made as quickly as possible to interview all 300 applicants. Allowing 5 minutes for each interview, it will take at least three full days for a Selection/Nominating Committee to conduct all of the interviews.

Under the circumstances, and given the time constraints to recommend new citizen appointments, the Finance and Administration Committee might wish to consider establishing more than one (1) Selection/Nomination Committee to apportion the total number of interviews thereby reducing workload and expediting the overall interview process.



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CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 December 27

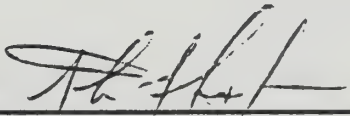
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Terms of Employment - School Crossing Guards
(C-003-092)

RECOMMENDATION:

That the terms of employment for School Crossing Guards and Spare Crossing Guards for the years 1992 and 1993, attached as Appendix A, be approved.



John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately \$5,000 (1992) arises from the movement from a five step pay scale to a two step (probationary rate and job rate) pay scale. These costs will be absorbed in the 1992 Traffic Department budget.

BACKGROUND:

Responsibility for the school crossing guard programme was transferred from the Hamilton-Wentworth Regional Police to the City of Hamilton Traffic Department in April, 1990. The guards and spare guards, while under the jurisdiction of the Hamilton-Wentworth Regional Police, regularly received a document outlining their terms and conditions of employment. Appendix A is a similar document, developed by the Traffic Department and the Human Resources Centre. It provides the employer and the guards with reference information on terms and conditions of employment as they exist within the City of Hamilton. Information on wage rates, policies and procedures, clothing and allowances for the positions of guards and spare guards is included.

THE CORPORATION OF THE CITY OF HAMILTON

TERMS OF EMPLOYMENT FOR
SCHOOL CROSSING GUARDS AND SPARE SCHOOL CROSSING GUARDS
FOR THE YEARS 1992 AND 1993

1.0 WAGE RATE AND WORK HOURS:

- 1.1 School Crossing Guards at "full" points and Spare School Crossing Guards shall be paid on a DAILY RATE based on a regular working day of 2.75 hours, as set out below:

	JAN 1992	JAN 1993	JULY 1993
PROBATIONARY RATE:	\$26.000	\$26.780	\$27.048
JOB RATE:	\$26.700	\$27.501	\$27.776

- 1.2 School Crossing Guards at "short" points shall be paid on a DAILY RATE based on a regular working day of 1.65 hours (60% of a "full" point working day), as set out below:

	JAN 1992	JAN 1993	JULY 1993
PROBATIONARY RATE:	\$15.600	\$16.068	\$16.229
JOB RATE:	\$16.020	\$16.501	\$16.666

- 1.3 An employee who, at the request of his or her supervisor, trains another employee shall receive an additional \$5.00 per day for those days spent training, which shall be added to his or her appropriate Daily Rate.
- 1.4 The probationary rate shall apply for a period of six (6) months, excluding July and August, commencing from the employee's start date.

1.5 School Crossing Guards and Spare School Crossing Guards do not normally work during July and August except those assigned to work during the "SUMMER CROSSING PROGRAM". See Section 15.0 of these Terms of Employment.

1.6 An employee who is assigned to work more then 2.75 hours per day at a "full" point shall be paid for each day on which additional time is worked as follows:

$$\text{Daily Pay} = \frac{\text{Employee's appropriate Daily Rate} \times \text{Hours/Day}}{2.75}$$

For the purposes of this calculation, hours per day shall equal the total time worked during the four school crossing periods plus the duration of the break between the lunch time school dismissal period and the lunch time school entry period if this duration is 15 minutes or less, expressed in decimal hours.

1.7 An employee who is assigned to a "short" point and who is assigned to work more then 1.65 hours per day during the two (2) school crossing periods shall be paid for each day on which additional time is worked as follows:

$$\text{Daily Pay} = \frac{\text{Employee's appropriate Daily Rate} \times \text{Hours/Day}}{1.65}$$

For the purposes of this calculation, hours per day shall equal the total time worked during the two school crossing periods, expressed in decimal hours.

1.8 An employee who is assigned to a "short" point and who works an additional crossing period at the "short" point or a lunch time crossing period at another point, shall receive the appropriate "full" point Daily Rate for the days on which this occurs.

1.9 School Crossing Guards who work on School Board designated Professional Development days and Spare School Crossing Guards shall be paid for each Professional Development day at their appropriate Daily Rate.

- 1.10 Spare School Crossing Guards shall receive pay for days on which they are available to work but do not work. However, notwithstanding the above, Spare School Crossing Guards shall not receive pay for days on which they are unavailable for work, unless they are recorded as "sick" and are drawing from their sick bank.

2.0 STATUTORY HOLIDAYS:

- 2.1 Statutory holidays shall be paid at the employee's appropriate Daily Rate, in accordance with the Employment Standards Act (Ontario), as follows:

Good Friday	Thanksgiving Day
Easter Monday	Christmas Day
Victoria Day	Boxing Day
Canada Day	New Year's Day

- 2.3 An employee shall not be paid for any Statutory Holiday,
- a) if he or she has been absent without good cause, as determined by the Employer, on the scheduled working day immediately preceding or following such Holiday; or,
 - b) if he or she has not been employed by the Employer for at least thirty (30) continuous days; or,
 - c) if he or she does not earn wages on twelve (12) days of the four (4) weeks preceding the holiday.

3.0 VACATION:

- 3.1 The March School Break shall be paid at the employee's appropriate Daily Rate of pay.

- 3.2 Vacation time shall not be provided, but shall be paid out at an employee's appropriate Daily Rate of pay, based on years of service as follows:

1992	1993	Vacation
less than 1 year	less than 1 year	4% of earnings
less than 5 years	less than 4 years	2 weeks
over 5 years	over 4 years	3 weeks
over 10 years	over 9 years	4 weeks

- 3.3 An employee whose working day changes between a "full" point and a "short" point shall have his or her annual vacation pay adjusted in the year of the change, such that the vacation entitlement will be paid out partially at the "full" point rate and partially at the "short" point rate based on the proportion of months the employee was employed at each rate.
- 3.4 Vacation entitlement up to and including the first two (2) weeks vacation shall be paid out during the Christmas break. The balance of any vacation entitlement shall be paid out in July.

4.0 SICK LEAVE:

- 4.1 Permanent employees accumulate 1 1/2 days sick leave credits per month excluding the months of July and August, up to a maximum of fifteen (15) days sick leave credit per year.

Employees absent for a period in excess of one (1) day are not entitled to the 1 1/2 days sick leave credit.

Where the absence is for a period of not more than three (3) days where such days extend from one calendar month to the next calendar month, the loss of the 1 1/2 day sick leave credit shall only apply to the preceding month.

- 4.2 A permanent employee who has six months or more employment is eligible to draw from his or her sick bank up to the number of days accumulated.
- 4.3 An employee who is eligible for paid sick leave and is off for more than two (2) days must submit a medical certificate for the third day of absence in order to be paid for sick days (up to the number of days in the employees sick bank.)

- 4.4 School Crossing Guards at "full" points and Spare School Crossing Guards are entitled to take up to four (4) School Crossing Periods off for MEDICAL appointments, without using his or her sick bank and without loss of pay.
- 4.5 School Crossing Guards at "short" points are entitled to take up to two (2) School Crossing Periods off for MEDICAL appointments, without using his or her sick bank and without loss of pay.
- 4.6 Any absence of less than one full day will be recorded to the nearest quarter day.
- 4.7 Any absence of one full day will be recorded as a full day absence.
- 4.8 Deductions from an employee's sick bank will be adjusted to the nearest half day.

5.0 SICK LEAVE GRATUITY:

- 5.1 An employee who ceases employment as a School Crossing Guard or a Spare School Crossing Guard and who was employed:
 - i) for not less than seven years and not more than twelve years is entitled to a gratuity equal to one half the number of unused days of sick leave standing to his or her credit at his or her appropriate Daily Rate of pay for the year in which employment ceases, provided that in no case shall the amount of the gratuity be more than an amount equal to his or her salary or other remuneration for the immediately preceding sixty-five (65) days excluding the months of July and August;
 - ii) for not less than twelve years is entitled to a gratuity equal to one half the number of unused days of sick leave standing to his or her credit at his or her appropriate Daily Rate of pay for the year in which employment ceases, provided that in no case shall the amount of gratuity be more than an amount equal to his or her salary or other remuneration for the immediately preceding one hundred and thirty (130) days excluding the months of July and August.
- 5.3 An employee whose working day was changed between a "full" point and a "short" point shall have his or her sick leave gratuity calculated partially at the "full" point rate and partially at the "short" point rate, based on the proportion of years the employee was employed at each rate.

- 5.4 When an employee ceases to be employed as a School Crossing Guard or as a Spare School Crossing Guard but continues to be employed by the Employer in an uninterrupted fashion,
- i) the number of unused days of sick leave standing to his or her credit, earned under this terms of employment, is not transferable.
 - ii) the employee may apply for sick leave gratuity under this Terms of Employment.
- 5.5 In the event that an employee dies while in the employ of the Employer, his or her estate is entitled to receive payment of the gratuity in accordance with the provisions of the current Terms of Employment.

6.0 BEREAVEMENT LEAVE:

- 6.1 Three (3) regularly scheduled consecutive work days bereavement leave, without loss of pay on the death of a spouse, common-law - spouse, child, parent foster or adopted parent, grandparent, grandchild, brother or sister, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law. Such leave to be taken at the time of that bereavement or at the time the employee receives notification of that bereavement. Proof of bereavement may be required by the Commissioner of Human Resources.

7.0 CLOTHING AND ALLOWANCES:

- 7.1 Uniforms shall be provided by the Employer; except that all Guards shall provide their own footwear acceptable to the Employer.
- 7.2 All Spare School Crossing Guards and School Crossing Guards shall receive \$5.00 per month worked Footwear Allowance, up to a maximum of \$50.00 per year.
- 7.3 The issued uniform shall be worn as prescribed by the Employer.
- 7.4 All Spare School Crossing Guards and School Crossing Guards shall receive \$5.00 per month worked Cleaning Allowance, up to a maximum of \$50.00 per year.
- 7.5 The uniform remains the property of the Employer and must be returned upon termination or when requested.

- 7.6 All Spare School Crossing Guards shall receive \$38.00 per week; (\$7.60 per day) Travel Allowance; except that \$7.60 shall be deducted from said amount for every full day on which he or she is not available for work.
- 7.7 Any School Crossing Guard who works temporarily at a location other than his or her regularly scheduled location, as requested by his or her supervisor, shall receive \$2.50 per school crossing period Travel Allowance if he or she is required to use his or her own vehicle.
- 7.8 Travel allowance shall be paid once per month.
- 7.9 Travel allowance shall not be paid to any Guard working during the SUMMER CROSSING PROGRAM.

8.0 MEDICAL TESTING:

- 8.1 The Employer reserves the right to require the employee to undergo medical testing only to ascertain the employee's ability to discharge his or her duties. The testing shall not be conducted in a discriminatory manner.
- 8.2 When an employee is requested to undergo medical testing it shall be mandatory and it shall be conducted at a place chosen by the Employer and at the Employer's expense.
- 8.3 Failure to submit to medical testing will result in suspension and/or dismissal.
- 8.4 Should the results of an employee's medical testing result in a medical opinion that the employee is "unfit" to discharge his or her duties then the employee will be suspended without pay until such time as the employee is considered to be "fit" to return to duty, as determined by the Employer and the agencies conducting the medical testing on behalf of the Employer.

9.0 REPORTING RESPONSIBILITY:

- 9.1 All School Crossing Guards And Spare School Crossing Guards report directly to the:

School Crossing Supervisors
Community Traffic Services Section
Traffic Department
City of Hamilton.
Telephone Number 546-2200

10.0 PROGRAM CHANGES:

- 10.1 School Crossing locations and working hours are established by resolutions of the Municipal Councils of Hamilton, Stoney Creek, Dundas, Ancaster and Flamborough and the Policies and Procedures of the Corporation of the City of Hamilton Traffic Department. Therefore, the Employer reserves the right:

- i) to reduce or increase a point between "Full" and "Short" hours at any location with a minimum of two (2) weeks written notice to affected employees; and,
- ii) to eliminate or add School Crossing locations as required with a minimum written notice to affected employees as specified in the Employment Standards Act (Ontario).

11.0 POLICIES AND PROCEDURES:

- 11.1 All School Crossing Guards and Spare School Crossing Guards must comply with the City of Hamilton Traffic Department Policies and Procedures respecting School Crossing Guard Operational Matters. Failure to comply with said policies and procedures will result in disciplinary action.

12.0 SUMMER CROSSING PROGRAM

- 12.1 A School Crossing Guard or Spare School Crossing Guard working during the "SUMMER CROSSING PROGRAM" shall be paid for each working day as follows:

$$\text{Daily Pay} = \frac{\text{Employee's appropriate "full" point Daily Rate}}{2.75} \times \frac{\text{hours per day}}{\text{per day}}$$

- 12.2 An employee working during the "SUMMER CROSSING PROGRAM" shall not earn sick leave credits nor be able to use sick leave credits during his or her employment as a "SUMMER CROSSING GUARD".
- 12.3 Sections 7.2, 7.4, 7.6 and 7.7 of this Terms of Employment are not applicable to "SUMMER CROSSING GUARDS".

13.0 DEFINITIONS

- 16.1 The following words are defined as used in this Terms of Employment:

School Crossing Guard - any individual hired by the Employer to fulfil the mandate of the job description of the position of School Crossing Guard. School Crossing Guards are assigned to a point on a permanent basis.

Spare School Crossing Guard - any individual hired by the Employer to fulfil the mandate of the job description of the position of Spare School Crossing Guard. Spare School Crossing Guards are not assigned to a point on a permanent basis but must be available on all school days to "fill in" at points when required.

Employee - any individual hired as a School Crossing Guard or Spare School Crossing Guard by the Employer.

Employer - The Corporation of the City of Hamilton.

A "full" point is a location where a guard is assigned to work during the morning entry, lunch dismissal, lunch entry and evening dismissal school crossing periods.

A "short" point is a location where a guard is assigned to work during the morning entry and evening dismissal school crossing periods only.

SUMMER CROSSING PROGRAM - The use of Crossing Guards to cross children during the non-school months of July and August.

SUMMER CROSSING GUARD - A School Crossing Guard or Spare School Crossing Guard who has volunteered and been accepted by the Employer to work during the SUMMER CROSSING PROGRAM.

14.0 CHANGES TO THESE TERMS OF EMPLOYMENT:

- 14.1 This document is intended as information and is subject to change by the Employer.

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CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 14 JAN 16 1992

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

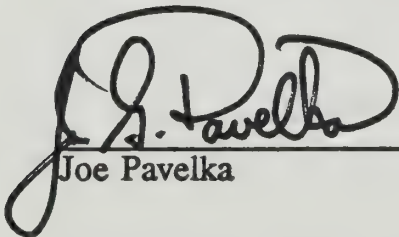
FROM: Mr. Joe Pavelka
Acting Chief Administrative Officer - City

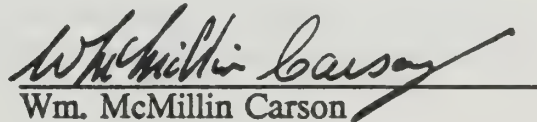
Mr. Wm. McMillin Carson
Chief Administrative Officer - Region

SUBJECT: PERFORMANCE EXCELLENCE PROGRAMME
(132-0001)

RECOMMENDATION:

1. That the corporate policies outlined in Appendix A of this report be approved.
2. That the Performance Excellence Programme Status Report, as outlined in Appendix B of this report, be received as information.
3. That the procedures defining implementation of policies, as outlined in Appendix C of this report, be received as information.


Joe Pavelka


Wm. McMillin Carson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There are financial and staffing implications for the corporate health policy as outlined in Appendix A. It is recommended that the policy be approved and that the Commissioner of Human Resources will report to the Committee if any additional funds are needed beyond the 1992 current budget.

Any costs associated with implementation of other corporate policies and procedures will be submitted through the annual budget process.

BACKGROUND:

The attached policies and procedures result from a directive of Council on March 16th, 1990, through the approval of the Performance Excellence Programme.

Appendix A lists the policy statements developed by the Performance Excellence Programme to date in several programme components and are submitted for the Committee's approval.

Appendix B, Performance Excellence Programme Status Report, provides the Committee with a summary of the original purpose and objectives for the programme, development to date, and implementation plans.

Appendix C contains the procedures required to implement policies and meet key objectives of the Performance Excellence Programme and are submitted for the Committee's information.

cc: Mr. John Johnston, Commissioner of Human Resources
Ms. Raffaella Cowell, Performance Excellence Programme Manager

APPENDIX A

PERFORMANCE EXCELLENCE PROGRAMME

POLICIES FOR APPROVAL

Attendance	A-1
Corporate Health	A-2
Occupational Health & Safety	A-3
Employee Recognition	A-4

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

SUBJECT: ATTENDANCE

POLICY:

It is expected that every employee will be in attendance for all scheduled hours of work and perform his/her duties adequately and safely.

Encouragement and assistance will be provided to employees to achieve this objective.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

SUBJECT: CORPORATE HEALTH

POLICY: All employees have a personal responsibility to work safely and to contribute to the achievement of a high level of health and safety within the organization.

The Corporation is committed to the health and safety of all employees and will provide professional opinions and guidelines on health issues related to working in a safe and predictable manner in accordance with the following objectives:

1. Facilitate the placement of employees so that they can perform the essential duties of the job without endangering the health and safety of themselves or others.
2. Encourage and promote the optimum health and well-being of all employees.
3. Co-ordinate the rehabilitation of injured/disabled employees through the provision of temporary modified work and vocational rehabilitation.
4. Maintain confidential health records in accordance with all legal, professional and ethical standards.
5. Act in an advisory capacity on health matters related to performance and attendance management.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

SUBJECT: OCCUPATIONAL HEALTH & SAFETY

POLICY: All employees have a personal responsibility to work safely and to contribute to the achievement of a high level of health and safety within the organization.

The Corporation is committed to the health and safety of all employees and will provide professional opinions and guidelines on occupational health and safety issues related to working in a safe and predictable manner in accordance with the following objectives:

1. Ensure that healthy and safe working conditions, practices and procedures are established and followed by all employees.
2. Ensure that all employees receive the necessary training and knowledge to enable them to safely perform the work to which they have been assigned.
3. Identify and address potential occupational health hazards to prevent occupational illness/injury.
4. Establish and maintain a comprehensive recording system suitable for statistical research for measuring programme effectiveness and determining programme needs.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

SUBJECT: EMPLOYEE RECOGNITION

POLICY: The employer will participate in the provision of employee recognition programs to acknowledge contributions to the overall corporate objective of delivery of excellent public service.

APPENDIX B
PERFORMANCE EXCELLENCE PROGRAMME
STATUS REPORT

THE PERFORMANCE EXCELLENCE PROGRAMME IS:

- . A unified and systematic approach to establishing effective, fair, and consistent management of all aspects of performance, health and safety, and sustains employee contribution and motivation
- . A programme intended to promote a culture that values and encourages organizational and individual excellence and builds on perception of the Region and City as a good place to work

ORGANIZATIONAL VALUES

The Performance Excellence Programme 's initiatives embody the following organizational value statements:

1. WE WILL TREAT OUR EMPLOYEES FAIRLY AND CONSISTENTLY WITH DIGNITY AND RESPECT.

Human Rights legislation and legal considerations will be incorporated in all management policies, thereby protecting the organizations ' liability and ensuring compliance with relevant legislation.

2. WE WILL ENDEAVOUR TO CREATE AN ENVIRONMENT CONDUCIVE TO IMPROVING EMPLOYEE PERFORMANCE AND MOTIVATION

Management is responsible and accountable for managing performance. Employees will be provided with the necessary tools and conditions to perform. All employees will know and understand what is expected of them and contribute to achieving the organizations ' primary goal of providing service excellence.

3. WE CARE ABOUT OUR EMPLOYEES AND WILL HELP THEM REACH THEIR MAXIMUM POTENTIAL.

All employees will perform or have the potential to perform a contributing role as a condition of employment. Every reasonable effort will be made to sustain and regain employees as contributors to the organization.

4. WE ENCOURAGE AND PROMOTE A SAFE, PRODUCTIVE WORK ENVIRONMENT. INADEQUATE AND/OR UNSAFE PERFORMANCE IS NOT ACCEPTABLE.

All aspects of performance, health and safety will be identified and managed.

5. WE WILL TAKE A PROGRESSIVE, PROACTIVE APPROACH IN THE TREATMENT OF OUR GREATEST ASSET - OUR EMPLOYEES

TARGETED ACHIEVEMENTS

Achievement and enhancements of the following objectives are anticipated through the initiatives of the Performance Excellence Programme:

1. ACCOUNTABLE MANAGEMENT
2. INCREASED PRODUCTIVITY AND SERVICE
3. OCCUPATIONAL HEALTH AND SAFETY LEGISLATION COMPLIANCE
4. LOST TIME REDUCTION
5. LEGAL AND HUMAN RIGHTS COMPLIANCE
6. EMPLOYEE SATISFACTION AND MOTIVATION

In order to achieve these objectives, the following key performance tools will be developed and implemented:

1. Attendance Management System
2. Corporate Health Services
3. Recognition Programmes
4. Performance Management Processes
5. Assistance and Development Processes

PROGRAMME TO DATE DEVELOPMENT SUMMARY

The following is a chronology of the Performance Excellence Programme initiatives undertaken since inception of the programme:

- | | | |
|--------------------|---|--|
| March 1990 | - | Project Approval |
| April - June 1990 | - | Corporate communication <ul style="list-style-type: none">. brochure design, production and distribution. management information sessions. union presidents and executives information session |
| July - August 1990 | - | Initial tasks assigned |
| | - | Task analysis, research and completion schedules projected |
| | - | Task team recruitment and enablement |
| September 1990 | - | Initial task development commenced |

Task Status Synopsis

Total number of tasks in programme mandate	39
Number of tasks undertaken to date	28
Number of tasks completed to date	16 (57% of tasks undertaken)
Number of tasks of an ongoing nature (for the life of the programme)	9

The diagram on page B-4 outlines all the Performance Excellence Programme components and tasks, their status as reflected in the task synopsis, the major resultant tools from completion of those tasks, and the anticipated outcomes.

Performance Excellence Programme

The Systematic Approach

bold - completed
underline - outstanding
bold & underline - ongoing/
pending

PROJECT ADMINISTRATION

1. **Orientation & Planning**
2. **Management**
3. **Communication and Education**
4. **PEP Manual**
5. **PEP Team Quality & Performance Measures**
6. **PEP Quality Monitoring**

DATA SYSTEMS

8. Existing Systems
9. Other Systems
10. Data Systems Requirements
11. Data Systems Selection and Implementation

PEP TASKS

PERFORMANCE DEFINITIONS

7. Corporate Performance Standards

PERFORMANCE MANAGEMENT

12. **Employee Categories**
13. **Existing Attendance**
14. **Attendance Policy**
15. **Discipline Procedures**
16. Non-Culpable Performance Standards
17. **Substance Misuse**
18. Job Specific Performance Standards
19. Performance Evaluation
20. Job Performance Incentives/Disincentives

INCOME PROTECTION

21. **Existing Benefits**
22. **Benefits Analysis**
23. **Claims Management Procedures**
24. **Short Term Disability Eligibility**

25. Temporary Modified Work
26. Permanent Partial Disability Placement

CORPORATE HEALTH

27. **Existing Health Services**
28. **Role of Corporate Health**
29. **Occupational Health and Safety Policy**
30. **Occupational Hygiene and WHMIS**

EMPLOYEE ASSISTANCE

31. Employee Assistance Programme
32. Performance Attainment Process

TRAINING & EDUCATION

33. Corporate Training, Education and Development
- 33a. Customer Service Excellence
34. Career Development Policies

WORK-LIFE ENHANCEMENT

35. Types of Programmes (ie. Day Care/Job Sharing)
36. **Recognition Programmes**
37. Wellness Initiatives
38. Retirement Policies

RESULTING TOOLS

Attendance Management System

Corporate Health Services

Recognition Programme

Performance Management Processes

Assistance & Development Processes

OUTCOME

ACCOUNTABLE MANAGEMENT

INCREASED PRODUCTIVITY & SERVICE

OCCUPATIONAL HEALTH & SAFETY COMPLIANCE

LOST TIME REDUCTION

LEGAL AND HUMAN RIGHTS COMPLIANCE

EMPLOYEE SATISFACTION AND MOTIVATION

The following chart is a more specific accounting of the status of the Performance Excellence Programme tasks that have been undertaken to date, excluding ongoing project administration tasks.

Performance Excellence Programme Components and Tasks
Undertaken Since September 1990 Status

Performance Definitions	
Corporate Performance Standards	Ongoing
Data Systems	
Existing Systems	Completed
Other Systems	Ongoing
Data System Requirements	Ongoing
Data System Selection and Implementation	Ongoing
Performance Management	
Employee Categories	Completed
Existing Attendance Policies/Procedures	Completed
Attendance Policy	Completed
Discipline Procedures	Completed
Substance Misuse	Completed
Income Protection	
Existing Benefits	Completed
Benefits Analysis	Completed
Claims Management Procedures	Completed
Short Term Disability Eligibility	Completed
Work Accommodation	
Temporary Modified Work	Pending completion Feb/92
Permanent Partial Disability Placement	Pending completion Feb/92
Corporate Medical (Health)	
Existing Corporate Health Services	Completed
Role of Corporate Health Function	Completed
Occupational Health & Safety Policy	Completed
Occupational Hygiene & WHMIS	Completed
Work-Life Enhancement Programmes	
Types of Programmes	Child Care item underway through Human Resources. Target completion Dec 31/92
Employee Recognition Programmes	Completed

The majority of the tasks listed above have been undertaken individually and any one may have been the focus of review at any given time. It is important to understand, however, that all areas of performance management are linked to one another. While some of the Performance Excellence Programme tasks can be completed and implemented independent of other tasks, the majority are interrelated and have necessitated one or more task completions prior to implementation in order to ensure consistency and accountability.

Employee Involvement

Employee input and task involvement is essential for the successful development and implementation of Performance Excellence initiatives. It generates opinions and ideas helpful to task development and enables a better understanding of existing standards, policies, procedures and practices in order to make sound recommendations for change and improvement where required.

During initial communication about the Performance Excellence Programme, employees were encouraged to volunteer their participation for tasks. Department heads were also asked to identify employee candidates who would have a contribution to make and be interested in becoming involved. During selection of the initial Performance Excellence Programme tasks, additional employees were identified as appropriate resources for task groups, for reasons of either their job function or experience with issues pertinent to the various tasks to be undertaken.

These initiatives to involve employees has resulted in compilation of a volunteer list of employees who have been and are currently involved in tasks or who are interested in future tasks in addition to their regular duties. This list has broad employee representation from most of the departments and represents a large variety of job functions.

The unions, as the bargaining agents for employees, have reviewed the Performance Excellence Programme Design Document and have agreed to a communication process by which their input on initiatives will be received.

IMPLEMENTATION

The first package of initiatives developed by the Performance Excellence Programme is now complete and ready for implementation. It is comprised of the following key items:

- Attendance Management System
- Corporate Health Services
- Recognition Programmes
- Discipline Procedures
- Data System support tools relative to the above items

Implementation of modified data systems to support the new procedures for both corporations became effective January 1, 1992. All employees within the scope of the Performance Excellence Programme have been notified of pending new procedures. In order to operationalize the new policies and procedures effectively, training on their application is required for all management staff. It is not feasible to accomplish this training for all direct reporting departments of the City and Region all at once due to limited resources and time. Therefore, operationalization will occur in stages throughout the corporations; the first stage is scheduled for training in late January and February for operationalization March 1, 1992, and includes the following departments/divisions:

City: Culture and Recreation
 Fire
 Public Works

Region: Environmental Services and Roads
 Human Resources
 Macassa and Wentworth Lodges

Training in the rest of the City and Region departments is targeted to take place during May and June 1992 for operationalization July 1, 1992. This staging approach will allow for assessment on the effectiveness of the implementation strategy as well as the time to streamline and make any required adjustments to process.

FUTURE PERFORMANCE EXCELLENCE PROGRAMME TASKS

Development of the remaining tasks and initiatives will continue throughout the implementation phases and for the life of the project as well as completion of tasks already undertaken. The following is a list of the remaining tasks and their targeted development start date. Some do not, at present, have a scheduled start date due to their interdependence on other tasks into which they may be incorporated:

Performance Management

Non-Culpable Performance Procedures	
Job Specific Performance Standards Methodology	March 1992
Performance Evaluation	April 1992
Job Performance Incentives/Disincentives	

Employee Assistance

- Employee Assistance Programme (to be incorporated into Wellness Initiatives Task)
- Performance Attainment Process

Training and Education	
Corporate Training, Education & Development	April 1992
Customer Service Excellence Programme	July 1992
Career Development Policies	February 1992
Work-Life Enhancement Programmes	
Types of Programmes	October 1992
Retirement Policies	July 1992
Wellness Initiatives	March 1992

SUMMARY

We are currently at the half way mark of the three year approved duration of the Performance Excellence Programme. The initiatives that are now ready for implementation, which are outlined in Appendices A and C of this report, were deliberately undertaken first because they addressed very complex issues and critical elements in the Performance Excellence Programme 's mandate. These policies and procedures reflect the fundamental philosophies required in a comprehensive performance management system.

At this stage of the project, given the number of tasks already undertaken and the number remaining for 1992, we consider ourselves on target for programme completion in March 1993.

APPENDIX C

PERFORMANCE EXCELLENCE PROGRAMME

PROCEDURES FOR INFORMATION

Attendance Management Systems	C-1
Discipline	C-33
Employee Related Health Assessments	C-46
Health Promotion	C-48
Work Accommodation	C-49
Confidential Records	C-50
Health Assessment/Reviews	C-51
Health and Safety	C-52
Health and Safety Training	C-60
Monitoring & Prevention	C-62
Programme Effectiveness	C-63
WHMIS	C-64
Service Recognition	C-67
Attendance Excellence Recognition	C-69
Retirement Recognition	C-71
Training Recognition	C-73
Employee Contribution Recognition	C-74
Community Recognition	C-75

CORPORATION OF THE CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

PROCEDURES

SUBJECT: ATTENDANCE MANAGEMENT SYSTEM

PURPOSE: To manage absenteeism within the organizations in a fair and consistent process with the following objectives:

- a) to help employees achieve optimum attendance at work by making every reasonable effort to provide assistance and rehabilitation.
- b) to provide guidance to management staff who are responsible for dealing with attendance issues.
- c) to maximize service delivery to the public.

DEFINITIONS: AMS deals primarily with attendance issues which are generally defined as non-blameworthy and innocent. Blameworthy attendance issues are generally defined as wilful acts resulting in violation of rules, regulations, policies, procedures or standards and could result in disciplinary procedures.

In order to ensure consistent management of attendance issues and application of AMS, the following definitions have been developed:

MEDICAL TIME LOSS REVIEW

The Medical Time Loss Review is an assessment by Corporate Health Services when an employee states that a medical condition is the reason for inadequate attendance.

RETURN TO WORK MEDICAL CLEARANCE

The Return to Work Medical Clearance is an assessment by Corporate Health Services to determine the employee's ability to perform the duties of their regular job in a safe and predictable manner.

MANAGEABLE ABSENCES

It is generally accepted that absences, are to some extent controllable. These absences are defined as manageable and include any absence from scheduled work for such things as:

Worker's Compensation (W)

an absence resulting from a work related injury or illness. These absences are subject to the Attendance Management procedures.

Short Term Disability (S)

an absence where the employee notifies that he/she is unable to work due to illness, non-occupational injury or doctor's appointments other than those listed under approved absences. These absences are subject to the Attendance Management procedures.

Long Term Disability (Z)

a absence resulting from illness/non-occupational injury as determined by a qualified medical practitioner, which prevents an employee from attending his/her regular work and which extends for a period of more than twenty-six (26) weeks. These absences are subject to the Attendance Management procedures.

Absent Without Permission (A)

an absence where the employee fails to report an absence to their supervisor according to established procedures. These absences may be subject to disciplinary action.

Late (G)

an absence where an employee reports to work later than the specified starting time(s) (start of day/shift, lunch, breaks, etc.), unless employee has made specific alternative arrangements with their immediate supervisor. These absences may be subject to disciplinary action.

APPROVED ABSENCES:

There are some absences to which the employee is entitled to by law or under terms of the collective agreement and can be regarded as non-preventable. These absences are defined as approved and include any absence for such things as:

Vacations/Holidays (V, F, B, E, H)

an approved absence where an employee does not report to work due to vacation or holidays in keeping with collective agreements and corporate policies. This includes floating days, lieu statutory days, lieu overtime days, holidays (non-paid).

Compassionate Leave (C)

an approved absence due to the death of a family member, in accordance with provisions of the collective agreement.

Dr.'s Appointment (O)

an absence where the employee requests leave to attend up to two physician or dental appointments, each no greater than one-half day in length.

Modified Work/Rehabilitation (X,Y)

an approved absence for participation in a temporary modified work or rehabilitation programme in accordance with Work Accommodation Policy

Witness/Jury Duty (J)

an approved absence to perform witness or jury duty activities.

Absent with Permission (paid) (P)

an approved paid absence in accordance with corporate policy or collective agreement.

Absent with Permission (non-paid) (L)

an approved non-paid absence in accordance with corporate policy or collective agreement.

Maternity Leave (M)

an approved absence for maternity leave in accordance with the Employment Standards Act and based on the appropriate medical authorization.

Parental Leave (N)

an approved absence available to adoptive and/or natural fathers and/or mothers in accordance with the Employment Standards Act.

Suspension (U)

an absence where an employee is instructed to be absent from scheduled working hours as a result of disciplinary action.

Union Business (Q)

an absence approved by the employer to engage in union related activities.

Legal Strike (K)

an absence resulting from unresolved formal contract negotiations.

Temporary Lay-Off (T)

an absence resulting from the temporary unavailability of work.

RESPONSIBILITY - GENERAL:

- Employee:
- 1) maintain an acceptable level of attendance
 - 2) report all absences in the manner and time prescribed in the attendance management system, departmental operating procedures, Income Protection Plan and Sick Leave By-law requirements.

- Management:
- 1) be accountable for the attendance level within the groups they supervise.
 - 2) know and follow the procedures outlined in the attendance management system.
 - 3) ensure the consistent application of the attendance management system procedures within the groups they supervise.

- C.A.O.:
- 1) regularly review the corporate and departmental levels of attendance.
 - 2) ensure that department heads are consistently managing the level of attendance within their departments in accordance with the attendance management system procedures.

Human Resources:

- 1) provide overall administration of the attendance management system, including providing timely attendance reports to CAO and department management, and regularly inform management of the effectiveness of the attendance management system.
- 2) support departmental management in the AMS process

Corporate Health Services:

Corporate Health Services is responsible for monitoring the overall health and welfare of all employees. While the emphasis is on preventative medicine, Corporate Health Services may be asked to assess employees regarding their ability to perform job duties in a safe and predictable manner and provide assistance to employees through the AMS.

ATTENDANCE INTERVIEW PROCEDURES:

Interviews are not be viewed as disciplinary proceedings. The intent and purpose, in the early stages, is to provide information and assistance to the employee regarding their attendance and responsibility to maintain an acceptable level and clearly indicate that not meeting attendance expectations may result in non-disciplinary discharge.

Supervisors will arrange Level 1 interviews with employees whose rate of manageable absenteeism falls within the top 20 percent of all employees in the department in any 12 month period beginning January 1/92. Reports identifying employees will be provided on a monthly basis.

Interviews will not be required where an employee's rate of manageable absenteeism is at or below 4 incidents or 7 days or less in any 12 month period.

Should the employee's rate of manageable absenteeism exceed 4 incidents or 7 days at any time **within** a 12 month period following the interview, the employee shall proceed to the next level.

Should the employee's rate of manageable absenteeism exceed 4 incidents or 7 days **between** 12 and 24 months following an interview at any level of the AMS, the same level interview will be repeated.

Should the employee's rate of manageable absenteeism exceed 4 incidents or 7 days **after** 24 months following an interview at any level of the AMS, the employee will re-enter the procedure at Level 1.

At all stages of the AMS follow-up interviews, where an employee demonstrates improvement in meeting attendance expectations, the supervisor will:

- a) commend the employee on his/her improvement
- b) emphasize the importance of meeting and maintaining attendance expectations

All supervisors are required to document all actions taken through the various stages of AMS and forward them to the Human Resources Centre for input onto data system.

At the completion of each interview level, the employee will begin a new 12 month period for the purpose of Attendance Management monitoring procedures.

ATTENDANCE INTERVIEW GUIDELINES:

1. Stress that the initial interview is automatic and results from their being identified as having a rate of manageable absenteeism within the top 20 percent of all employees in the department. Subsequent interviews result from their exceeding 4 incidents or 7 days in any 12 month period.
2. Indicate to the employee that there is concern for the employee's health status and the organization wants to assist them in fulfilling organizational objectives by meeting attendance requirements. Outline the problem by:
 - a) showing the employee a copy of his/her attendance for the past 12 month period
 - b) stating the Corporation's need and desire for every employee to be at work on each working day
3. Identify how the employee's absences effects his/her Department:
 - a) morale of fellow employees
 - b) effectiveness and productivity of the work group
 - c) quality of service to the public
4. **STRESS THE NEED FOR IMPROVEMENT**

Make the employee aware that an improvement in his/her attendance is expected.
5. Outline to the employee their options:
 - a) correct the problem on their own
 - b) ask for help
 - c) do nothing and deal with the potential consequences
6. Offer assistance options to the employee:
 - a) E.A.P.
 - b) medical assistance through Corporate Health
7. Inform the employee that his/her attendance will be monitored
8. Advise the employee of the consequences if there is no improvement
9. Have the employee restate what you have explained to ensure that they understand
10. Ask the employee for their comments
11. **DOCUMENT THE MEETING - FORWARD COPY TO HUMAN RESOURCES**

EMPLOYEE REPRESENTATION:

As previously stated, interviews at the early levels are not intended to be disciplinary but rather a communication between the employee and management regarding attendance information and expectations, assistance available and potential outcomes. Should a unionized employee wish to have representation present at the interview, he/she may request it at any and all levels. In the latter interviews, levels 4 and 5, where attendance improvement has not been demonstrated by the employee, a union representative's attendance shall be invited by the supervisor/manager.

LEVELS

Level 1 (Initial Concern Meeting)

An initial concern meeting occurs when an employee's rate of manageable absenteeism falls within the top 20 percent of all employees in the department at any time within a 12 month period. This meeting is designed to inform the employee of the absenteeism problem, offer assistance to the employee and advise the employee of the possible outcome if there is no improvement.

If the employee indicates that there is a medical condition for the absenteeism, the employee will be referred to the Corporate Health Services for a "Medical Time Loss Review".

A follow-up meeting will be held, no later than 3 months after the referral to Corporate Health, with the employee to review the outcome of the "Medical Time Loss Review" and agree on a plan of action to achieve the acceptable attendance level.

This meeting will be conducted by the employee's supervisor and documented in the supervisor's file.

Level 2 (Further Concern Meeting)

A Level 2 meeting shall be conducted if the employee's rate of manageable absenteeism exceeds 4 incidents or 7 days at any time within a 12 month period since the initial Level 1 meeting or since medical intervention and an action plan have been established.

This meeting is again designed to inform the employee of the continuing absenteeism problem, express concern regarding the problem, offer assistance to the employee and advise the employee of the possible outcome if there is no improvement.

If the employee indicates that there is a medical condition for the absenteeism, the employee will be referred to the Corporate Health Services for a "Medical Time Loss Review".

A follow-up meeting will be held, no later than 3 months after the referral to Corporate Health, with the employee to review the outcome of the "Medical Time Loss Review" and agree on a plan of action to achieve the acceptable attendance level.

The Level 2 meeting shall be conducted by the employee's supervisor, documented in a letter to the employee and recorded in the employee's file in the Human Resources Centre.

Level 3 (Advance Concern Meeting)

A Level 3 meeting shall be conducted if the employee's rate of manageable absenteeism exceeds 4 incidents or 7 days at any time within a 12 month period since the initial Level 2 meeting or since medical intervention and an action plan have been established.

The employee will be advised of the absenteeism problem, management's expectations regarding satisfactory attendance at work, offered assistance and advised of the possible outcome if there is no improvement.

The employee should be asked if there is a medical condition causing the absenteeism. If the employee indicates that there is a medical condition for the absenteeism, the employee will be referred to the Corporate Health Services for a "Medical Time Loss Review".

A follow-up meeting will be held, no later than 3 months after the referral to Corporate Health, with the employee to review the outcome of the "Medical Time Loss Review" and agree on a plan of action to achieve the acceptable attendance level.

The Level 3 meeting shall be conducted by the employee's manager and supervisor. All meetings occurring in this stage shall be documented in a letter to the employee and recorded in the employee's file in the Human Resources Centre.

Level 4 (Final Warning)

A Level 4 meeting shall be conducted if the employee's rate of manageable absenteeism exceeds 4 incidents or 7 days at any time within a 12 month period since the initial Level 3 meeting or since medical intervention and an action plan have been established.

The employee will be advised of the absenteeism problem, management's expectations regarding satisfactory attendance at work, and the possible outcome if there is no improvement.

The purpose of this meeting is to:

- a) present the employee with their attendance record to date and be reminded of previous discussions regarding the necessity of satisfactory attendance
- b) explain to the employee the seriousness of the situation and stress that improvement must be shown quickly and dramatically in order to ensure continued employment;
- c) offer assistance if appropriate;

- d) advise the employee that termination of their employment will occur if improvement is not forthcoming.

If the employee indicates that there is a medical condition for the absenteeism, the employee will be referred to the Corporate Health Services for a "Medical Time Loss Review".

A follow-up meeting will be held, no later than 3 months after the referral to Corporate Health, with the employee to review the outcome of the "Medical Time Loss Review" and agree on a plan of action to achieve the acceptable attendance level.

The Level 4 meeting shall be conducted by the division director, manager and supervisor. A union representative shall also be invited to attend. This meeting will be documented in a letter to the employee and will be recorded in the employee's file in the Human Resources Centre.

Level 5 (Termination of Employment)

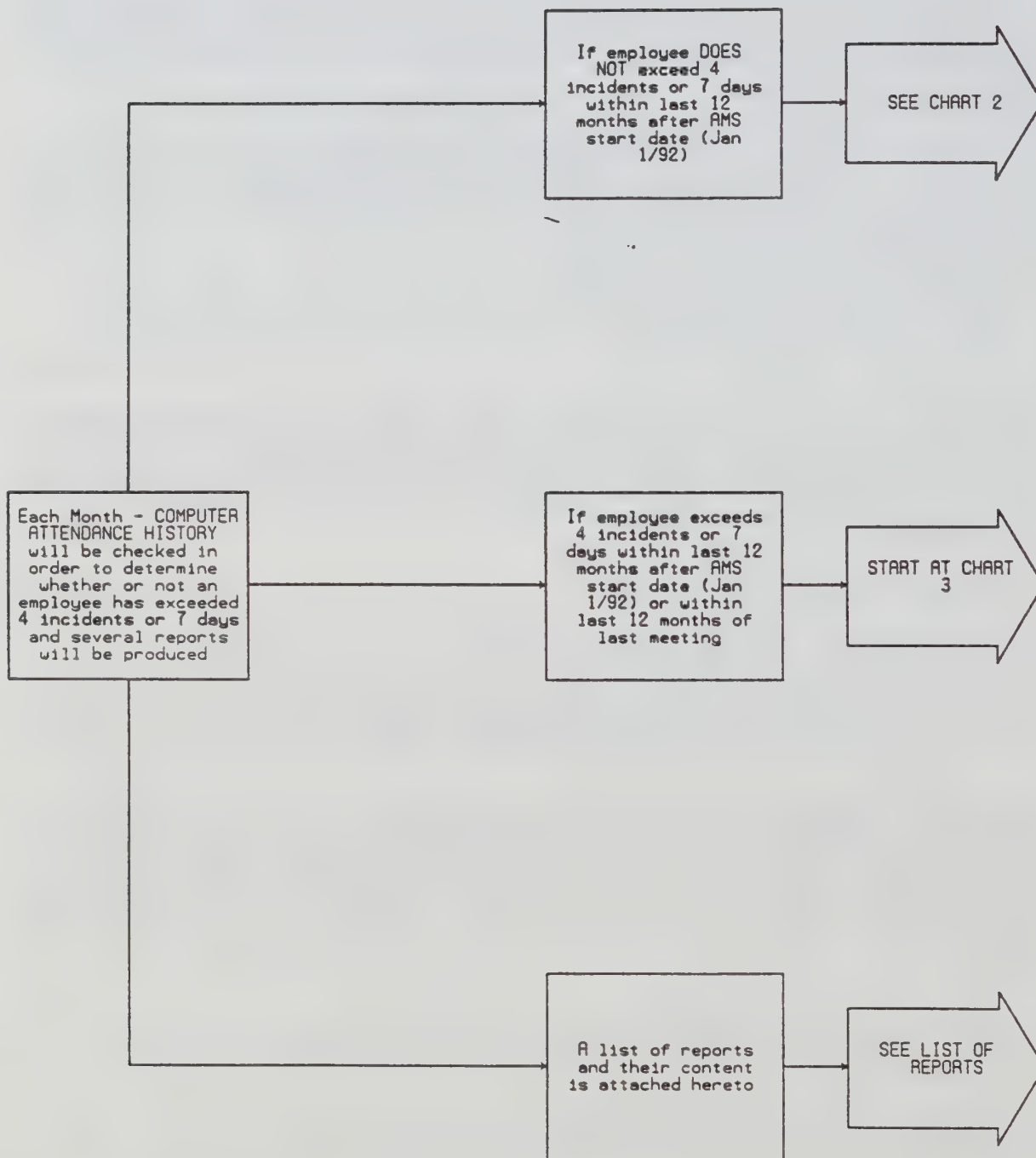
A Level 5 meeting shall be conducted if the employee's absenteeism rate of manageable absenteeism exceeds 4 incidents or 7 days at any time within a 12 month period since the initial Level 4 meeting or since medical intervention and an action plan have been established.

The purpose of this meeting is to:

- a) present the employee with their attendance record to date
- b) advise employee that they have not demonstrated the required improvement outlined in Level 4, resulting in their termination.

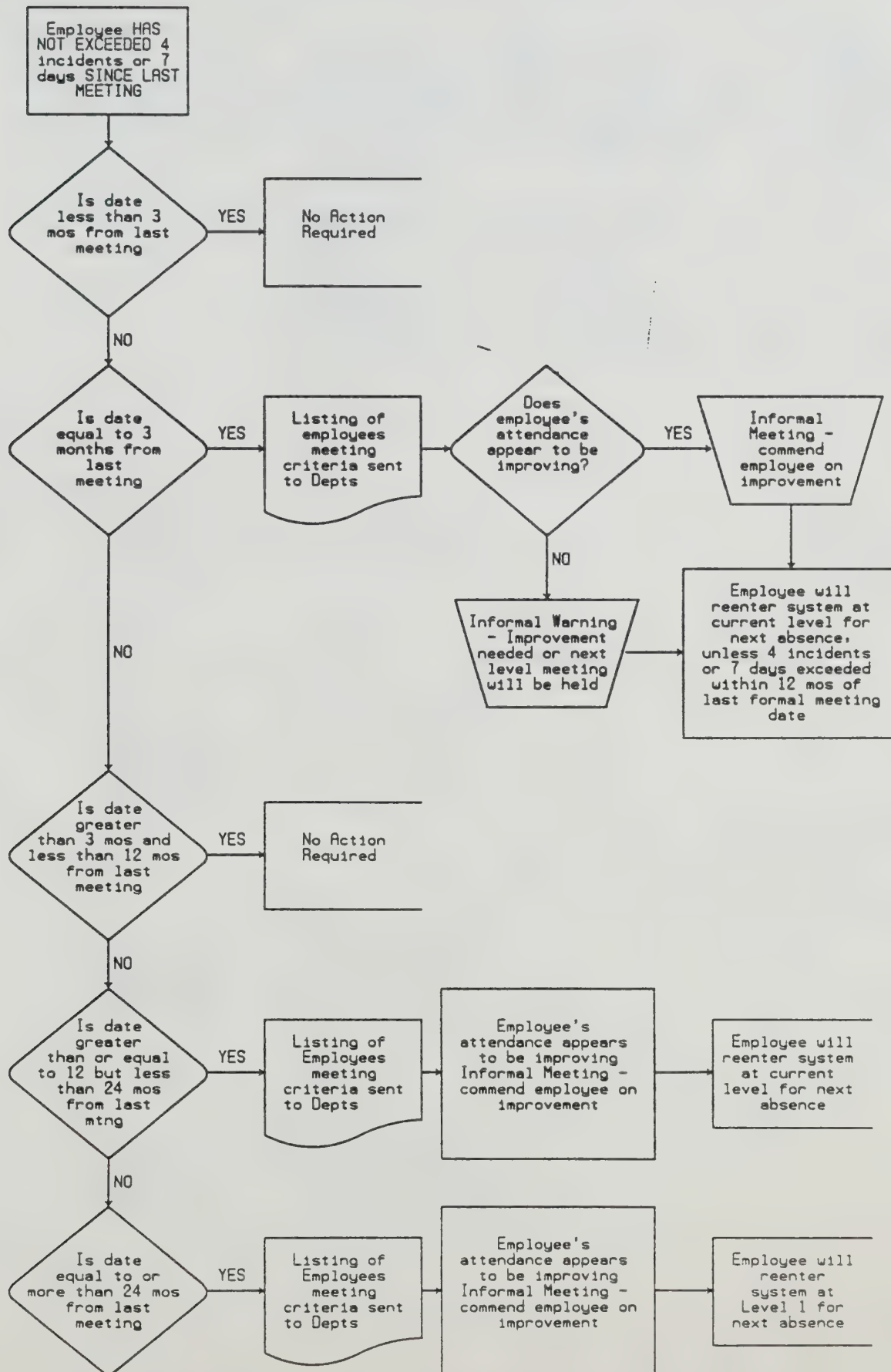
The Level 5 meeting shall be conducted by the division director and manager. A representative from the Human Resources Centre and a union representative shall also be invited to attend. This action will be documented in a letter presented to the employee and will be recorded in the employee's file in the Human Resources Centre

ATTENDANCE MANAGEMENT SYSTEM PROCESS

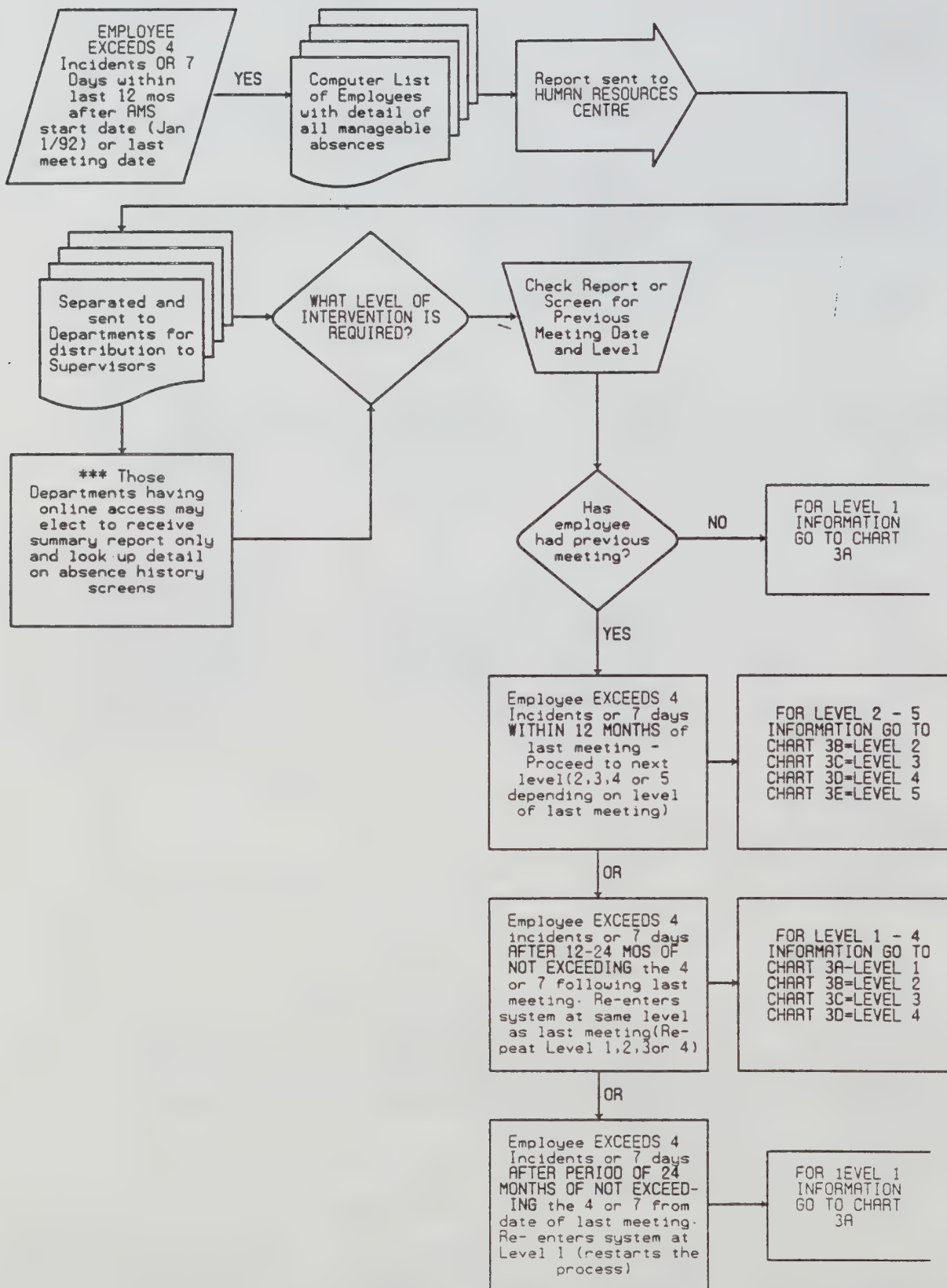


ATTENDANCE MANAGEMENT SYSTEM PROCESS

INFORMAL MEETINGS

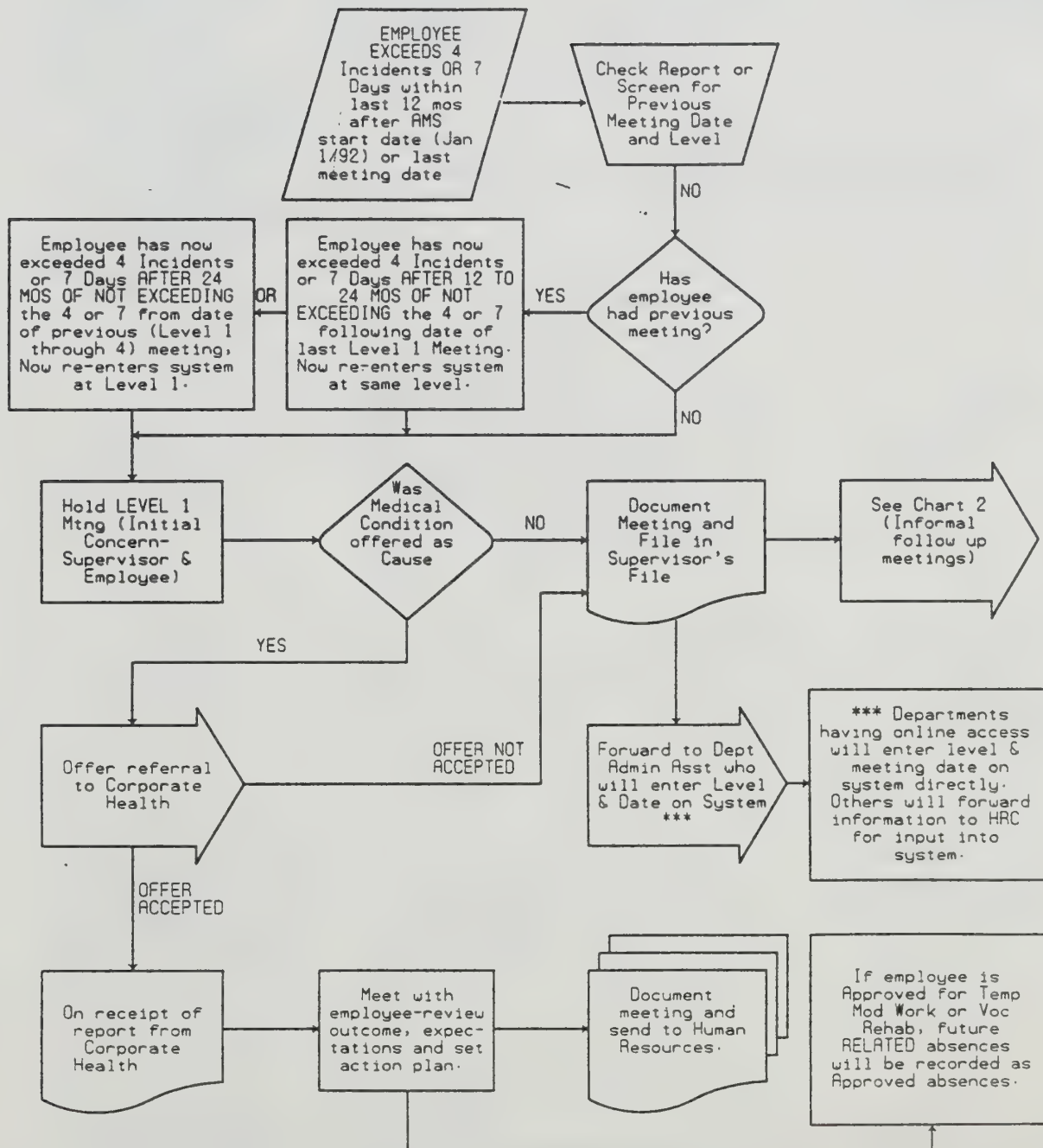


ATTENDANCE MANAGEMENT SYSTEM PROCESS



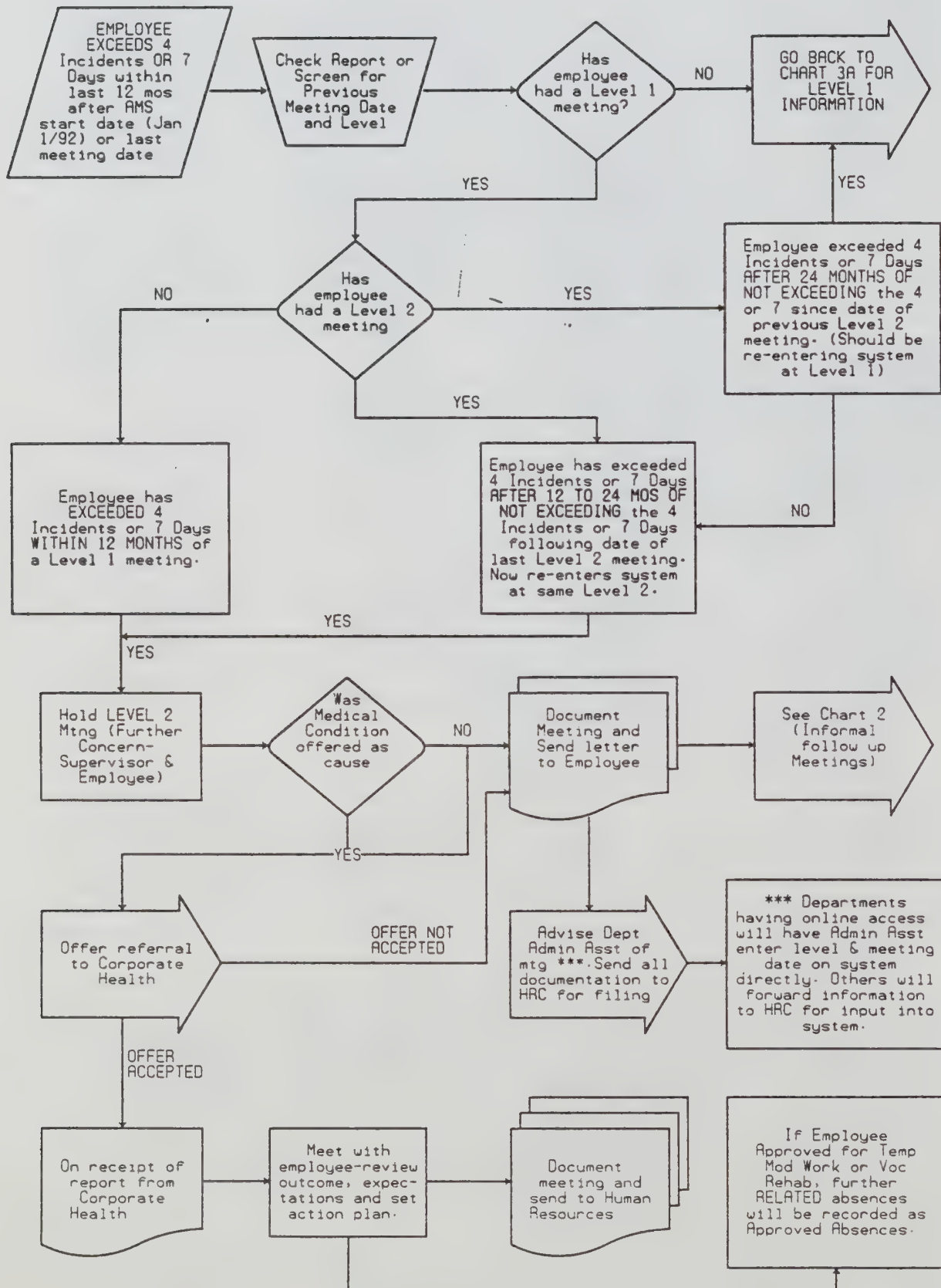
ATTENDANCE MANAGEMENT SYSTEM PROCESS

LEVEL 1 - INITIAL CONCERN



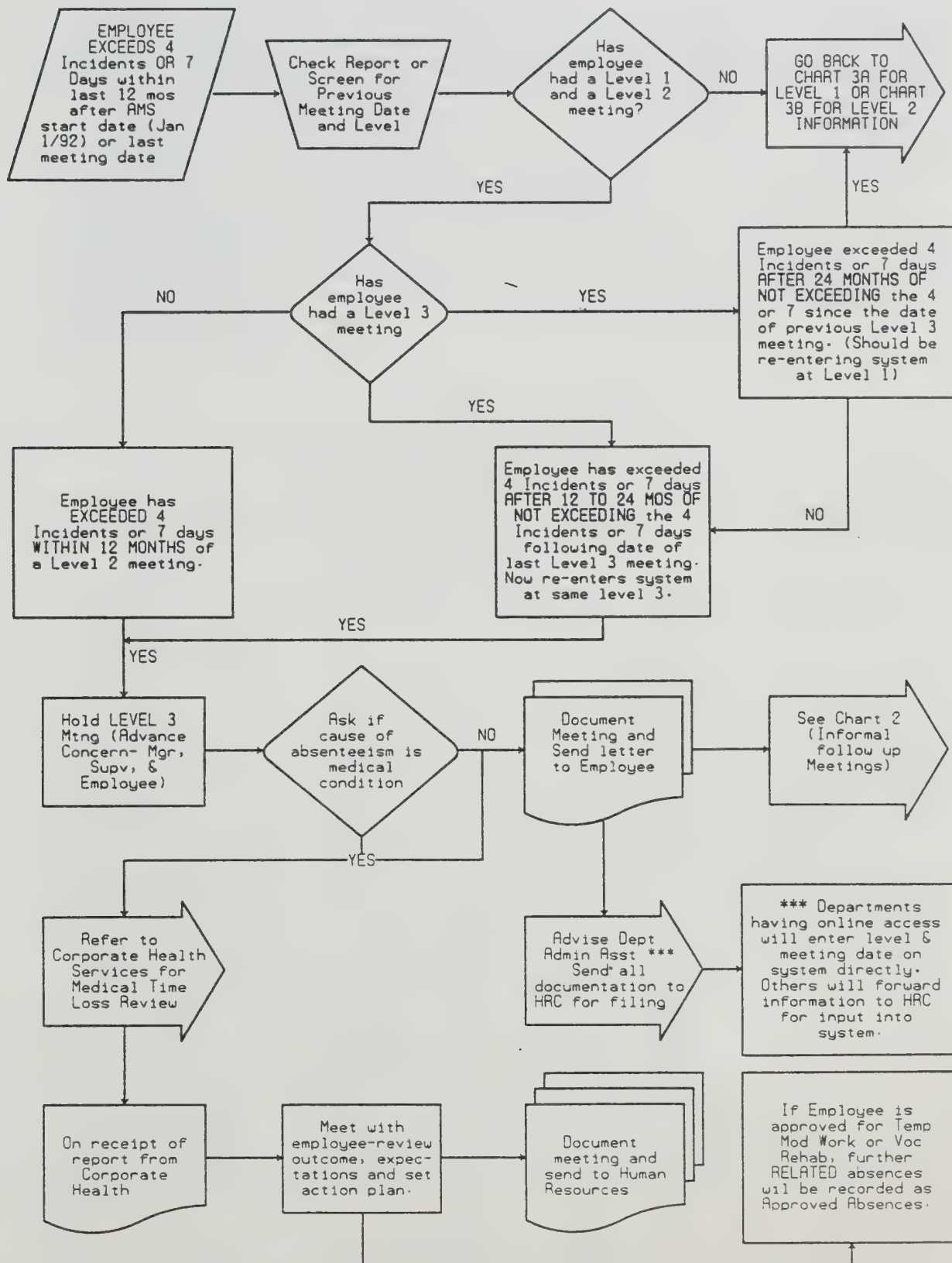
ATTENDANCE MANAGEMENT SYSTEM PROCESS

LEVEL 2 - FURTHER CONCERN



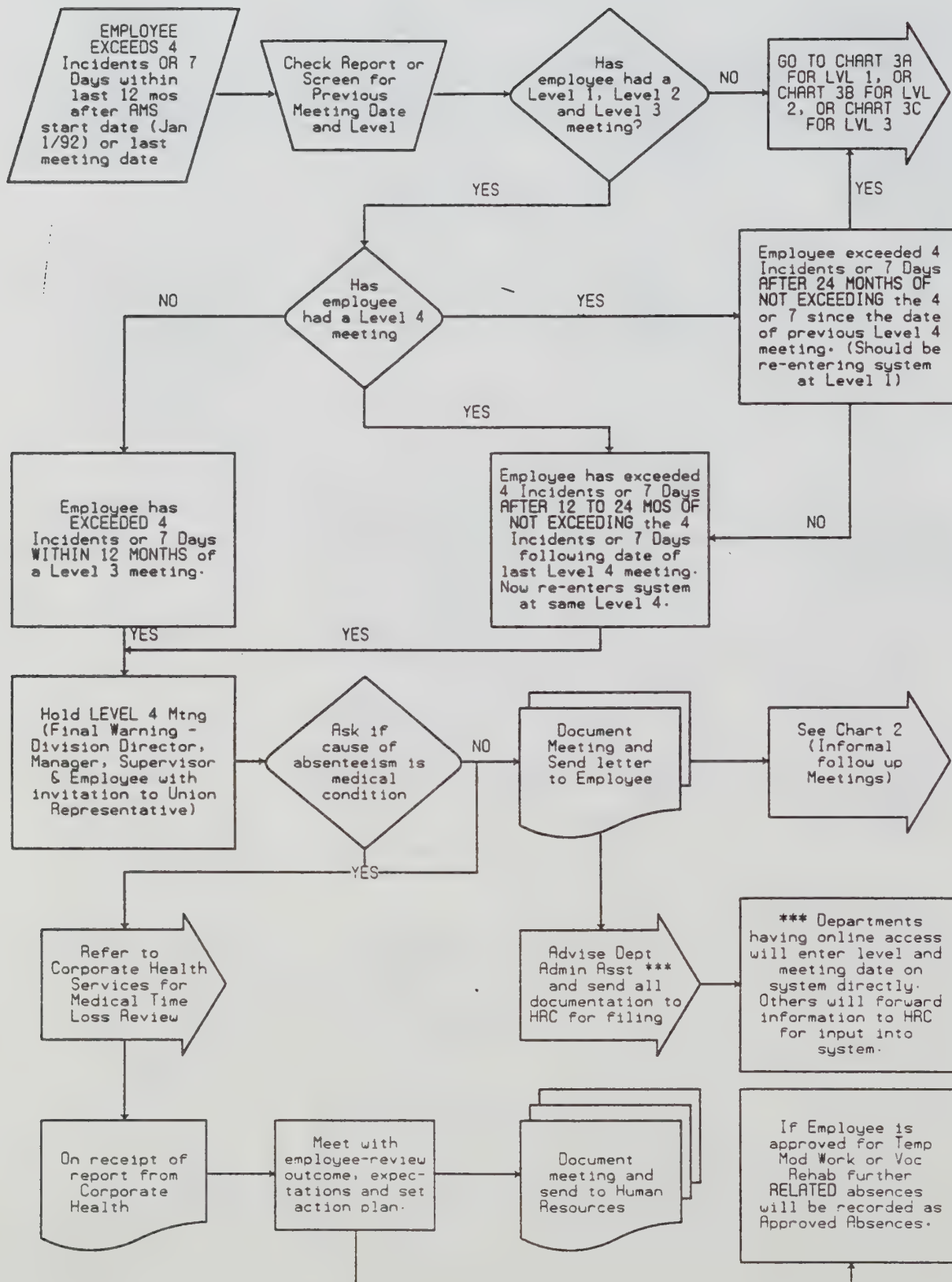
ATTENDANCE MANAGEMENT SYSTEM PROCESS

LEVEL 3 - ADVANCE CONCERN



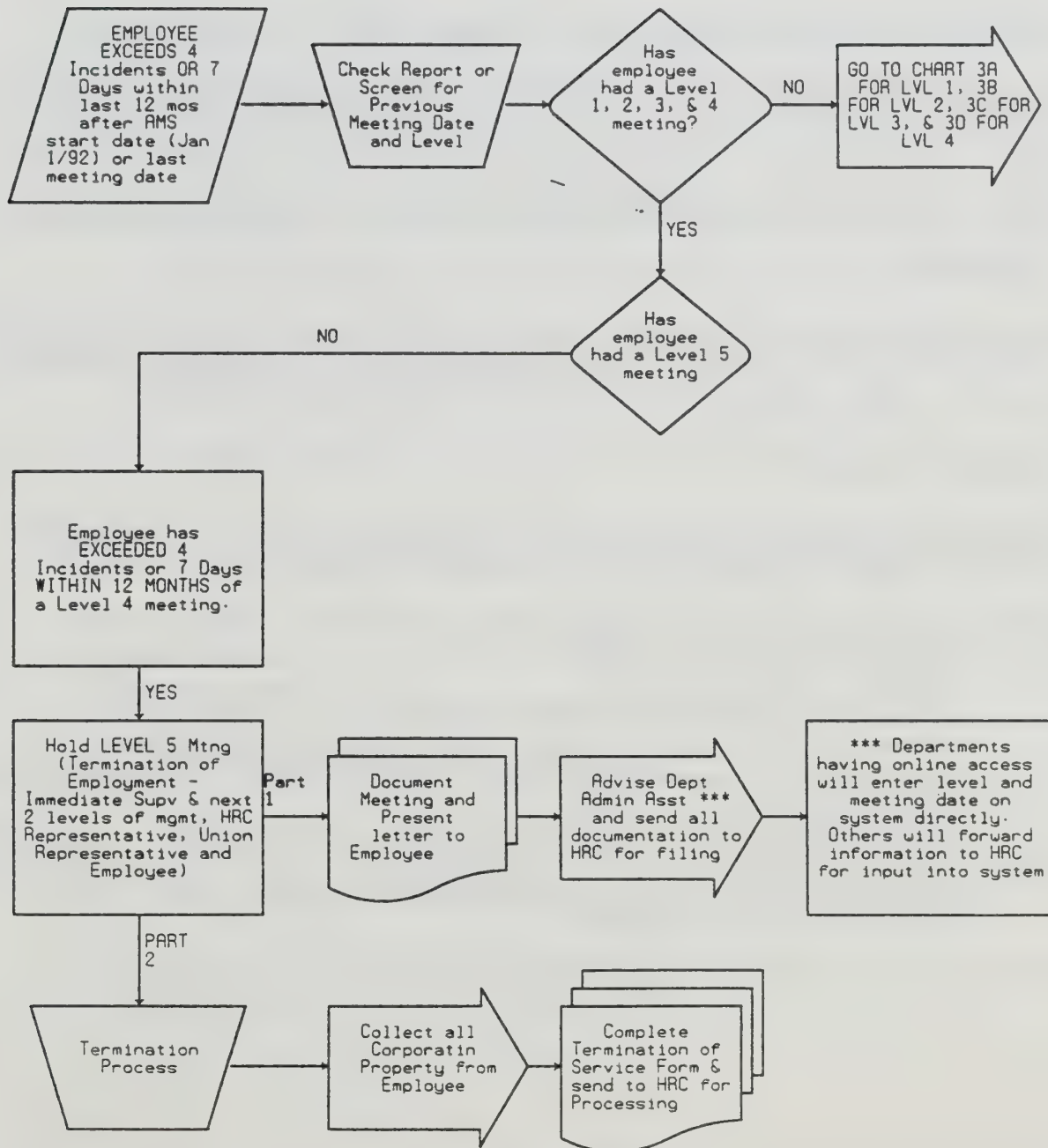
ATTENDANCE MANAGEMENT SYSTEM PROCESS

LEVEL 4 - FINAL WARNING



ATTENDANCE MANAGEMENT SYSTEM PROCESS

LEVEL 5 - TERMINATION



In order to assist management to identify and manage the attendance performance of their employees in a fair and consistent manner according to the procedures outlined, system reports will be generated and distributed to supervisors/managers on a regular basis.

Overall administration and statistical monitoring of attendance is the responsibility of the Human Resources Centre. It shall be responsible for producing employee and summary attendance reports.

Employee Attendance Reports

On the first Tuesday of every month, the system will automatically generate reports identifying employees whose manageable absences exceed 4 incidents or 7 days in the previous 12 months, based on a 12 month moving calendar or since the last interview level. The reports will include a listing of employees in the department in descending order by both total number of incidents and total length of absences.

The reports shall be distributed to departments no later than the 2nd Tuesday of every month. The report will include detailed data indicating the manageable absence types by frequency and severity for each employee identified.

Summary Reports

At the end of each calendar quarter and annually, the system will produce summary report by section/division/department indicating:

- average number of employees
- average available work days
- total approved absences (severity and frequency) by absence type
- total manageable absences (severity and frequency) by absence type
- average days lost and average incidents per employee by manageable and approved absences
- total manageable absences as a percentage of the total available work days
- total approved absences as a percentage of the total available work days
- average days lost per incident

CORPORATE HEALTH SERVICES:

Purpose of Corporate Health Services

The primary purpose of the Corporate Health Service is to assist in ensuring that employees are receiving optimum medical care and to provide professional opinions and guidelines on health related issues to employees, supervisors and Human Resources. Complete confidentiality of medical information as per medical ethics, will be maintained in all cases.

Role of Corporate Health Services for Absences in Excess of 15 Working Days

For absences in excess of 15 working days, the Corporate Health Service role is as follows:

- a) determine or confirm the anticipated length of the employee's absence
- b) assist in ensuring the employee is receiving optimum medical care
- c) assess the employee's capability of performing any part of their regular job in a temporary modified work environment
- d) develop a follow-up action plan to communicate with the employee

Role of Corporate Health Services in the "Return to Work" Medical Clearance

If the employee is required to obtain "Return to Work" medical clearance, the employee must report to Corporate Health Services. The role of the Health Service in this assessment is to:

- a) determine the employee's health status
- b) ensure that the employee is fit to return to their regular duties
- c) assist in determining any follow-up care that may be appropriate
- d) assess the employee's capability of performing any part of their regular job in a temporary modified work environment

Role of Corporate Health Services in a "Medical Time Loss Review"

At Level 3 of the AMS or at any previous time a medical condition for the attendance problem is declared, the employee may be requested to attend a "Medical Time Loss Review" assessment at the Corporate Health Service. The purpose of the Medical Time Loss Review is to assess the employees ability to attend and perform their regular duties in a safe and predictable manner.

Information Provided by the Corporate Health Services

When an employee has been assessed by Corporate Health Services whether triggered by the "Return to Work Medical Clearance" or the "Medical Time Loss Review", supervisors can expect answers to the following:

- a) Is there medical condition causing the attendance problem?
- b) Is the condition within the employee's control?
- c) Is the medical condition permanent or temporary?
- d) Are there any limitations or restrictions that are temporary or permanent?
- e) What are the limitations or restrictions and the time line for recovery?
- f) The Corporate Physician will time target an expected return to work date where possible.

REPORTING AN ABSENCE:

Employee Responsibility:

Employees who are absent from work shall:

- a) notify their immediate supervisor, or equivalent designate, in accordance with departmental procedures, the Income Protection Plan and Sick Leave By-law requirements.
- b) every effort should be made to contact the immediate supervisor, or equivalent designate, prior to the start of the shift. In the absence of departmental procedures, absences are to be reported no later than one hour after the scheduled start of the shift.
- c) it is the employee's responsibility to provide their immediate supervisor with the following information:
 - reason for absence according to defined absence types
 - expected date of return
 - status of outstanding work, assignments, etc.
- d) employees who fail to report an absence shall be recorded as absent without leave.
- e) employees absent beyond one week due to illness or injury shall contact their immediate supervisor every two weeks to confirm or revise the anticipated length of absence.

Supervisor Responsibility

Supervisors shall:

- a) receive calls from absent employees to:
 - determine the anticipated length of absence and/or return date
 - determine status of outstanding work, assignments, etc. to assess it's disposition
 - express concern regarding employee's health
- b) ensure all absences for all employees, regardless of status, are recorded on an absence report and forwarded to Human Resources no later than on the first day of absence

- c) ensure that all employees are aware of the designate to be reported to when absent. In identifying a designate, supervisor's should select an equivalent or higher level of management.
- d) monitor and document all contacts from employees and note any revisions of expected date of return to work
- e) notify Corporate Health Services of absences in excess of 15 working days and changes in return to work dates resulting from regular contact with absent employees

Corporate Health Services Responsibility

Contact employees that are absent for a period in excess of 15 working days to investigate restrictions and co-ordinate work accommodation alternatives.

WORKER'S COMPENSATION:

All injuries/accidents which occur during the course of duty, whether or not medical attention is required, must be reported immediately to the supervisor/foreman or designate and appropriate injury/accident forms completed and forwarded immediately to the Worker's Compensation Officer at Human Resources. The supervisor must complete an Absence Report if lost time results from the injury/accident.

RETURN TO WORK CLEARANCES:

Employee Responsibility

- report to Corporate Health before returning from STD absence exceeding 10 working days
- report to Corporate Health before returning from any STD absence with limitations or restrictions
- provide medical documentation regarding limitations or restrictions regarding the ability to perform regular duties in a safe and predictable manner
- report to Human Resources Centre - WCB Administrator before returning from any WCB absence

Supervisor Responsibility

- for all absences of 10 working days or less due to STD
- refer employee to Corporate Health when employee indicates that there are restrictions or limitations or when there are just concerns regarding the employee's ability to perform their duties in a safe and predictable manner
- ensure all employees returning from WCB have been cleared to return by the Human Resources Centre, WCB Administrator and/or Corporate Health Services, as appropriate

Human Resources Centre - WCB Administrator

- for all absences due to WCB
- refer employee to Corporate Health if return includes restrictions
- notify WCB of employee's return

Corporate Health Responsibility (see Role of Corporate Health Services page 14)

- for all absences exceeding 10 working days due to STD, WCB or LTD
- absences of 10 working days or less where employee was referred by supervisor

PART 1 TO BE COMPLETED BY SUPERVISOR & SUBMITTED ON FIRST DAY OF ABSENCE

Department: _____ Date: _____

Surname: _____ Given Names: _____ Employee No. _____

Detailed Description of Absence:

Absence Code: _____ (Please 'X' one)

<input type="checkbox"/> A Absent without Permission	<input type="checkbox"/> J Witness/Jury Duty	<input type="checkbox"/> T Temporary Layoff
<input type="checkbox"/> B Lieu Day - re-stat holidays	<input type="checkbox"/> K Legal Strike	<input type="checkbox"/> U Suspension
<input type="checkbox"/> C Compassionate Leave	<input type="checkbox"/> L Absent with permission (non-paid)	<input type="checkbox"/> V Vacation
<input type="checkbox"/> E Lieu overtime days	<input type="checkbox"/> M Maternity Leave	<input type="checkbox"/> W Worker's Compensation
<input type="checkbox"/> F Floating Holiday	<input type="checkbox"/> N Parental Leave	<input type="checkbox"/> X Approved Modified Hours/ Approved AMS Rehab-STD
<input type="checkbox"/> G Late	<input type="checkbox"/> O Doctor's Appointment	<input type="checkbox"/> Y Approved Modified Hours/ Approved AMS Rehab-WCB
<input type="checkbox"/> H Holiday (non-paid)	<input type="checkbox"/> P Absent with Permission (paid)	<input type="checkbox"/> Z Long Term Disability
<input type="checkbox"/> I AMS Interview	<input type="checkbox"/> Q Union Business	
<input type="checkbox"/> level 1	<input type="checkbox"/> S Short Term Disability	
<input type="checkbox"/> referred to Corp Health		
<input type="checkbox"/> level 2		
<input type="checkbox"/> referred to Corp Health		
<input type="checkbox"/> level 3		
<input type="checkbox"/> referred to Corp Health		
<input type="checkbox"/> level 4		
<input type="checkbox"/> referred to Corp Health		
<input type="checkbox"/> level 5		

EXPECTED DATE OF RETURN:

Date Absence Commenced: _____, 19____ A.M. _____ P.M.	Date Last Worked: _____, 19____	Time Department Notified: _____ a.m. _____ p.m.	Within Dept. Time Limits? Yes _____ No _____
---	---------------------------------	---	--

FIRST WEEK OF ABSENCE

Regular Days Off ☐ MON ☐ TUES ☐ WED ☐ THURS ☐ FRI ☐ SAT ☐ SUN

Regular Hours of Work _____ A.M. _____ P.M. to _____ A.M. _____ P.M.

Supervisor's Signature _____

PART 2 TO BE COMPLETED BY SUPERVISOR & SUBMITTED ON FIRST DAY OF RETURN

Is there a condition or limitations that will prevent the employee from performing his/her regular duties adequately and safely or put them or others at risk?

Cleared to Return to Work: _____
 Referred to Corporate Health: _____

Cleared to Return By Corporate Health: _____
 . restrictions: _____
 . no restrictions: _____

Date Returned to Work:

_____, 19____ A.M. _____ P.M.

Total Number of Working Days Off:

WEEK OF RETURN

Regular Days Off ☐ MON ☐ TUES ☐ WED ☐ THURS ☐ FRI ☐ SAT ☐ SUN

Regular Hours of Work _____ A.M. _____ P.M. to _____ A.M. _____ P.M.

Supervisor's Signature _____

CLAIMING DISABILITY BENEFITS:

Disability benefits are provided in the event that employees are unable to perform their normal duties due to illness or injury during both short and long term periods, provided they meet eligibility requirements in accordance with the collective agreements and current policies.

1.0 Short Term Disability Procedures

Employee Responsibility

To be eligible for disability benefits, employees absent for a period of 3 working days or more must submit a claim form including physician's statement. Claim Forms must indicate an expected date of return.

Claim Forms are available from the Human Resources Centre and department supervisors.

Employees must:

- a) have the Claim Form completed by the attending physician
- b) return the completed form to the Human Resources Centre on the 3rd working day of the absence or as soon as possible after the 3rd working day

Claim forms covering any illness or injury will not be accepted later than 2 weeks following such illness or injury unless there are extenuating circumstances made known to Human Resources by the 3rd working day of illness or injury.

It is the employee's responsibility to provide a claim form on the 15th working day of an absence and every subsequent 15th working day, to be eligible for continued disability benefits.

Claim forms are not required for absences of less than 3 working days.

Human Resources Centre Responsibility

Once eligibility requirements are met, the Human Resources Centre ensures that disability benefit payments are made to the employee in accordance with the collective agreements and current policies.

2.0 Long Term Disability

Employee Responsibility

It is the employee's responsibility to ensure that all claims forms are completed by the attending physician and are returned to the Human Resources Centre, as well as to provide periodic medical updates as requested by the benefit provider and in accordance with the collective agreements and current policies. For absences of less than three days no claim form is required.

Human Resources Centre Responsibility

- a) Contact employees in the 5th month of an absence and provide all necessary forms and information regarding application for Long Term Disability Benefits.
- b) Review completed forms and submit to benefit provider.
- c) Acts as a liaison between employee and insurance carrier regarding on-going claims matters.
- d) Once eligibility requirements are met, the Human Resources Centre ensures that the initial disability benefit payment is made to the employee in accordance with the collective agreements and current policies.

3.0 Workers' Compensation Benefits

Employee Responsibility

All injuries/accidents which occur during the course of duty, whether or not medical attention is required, or whether or not lost time occurs, must be reported immediately to the supervisor/foreman or designate, and appropriate injury/accident forms completed.

If medical attention is not required on the day of injury but is received afterward, the employee must notify the workers' compensation officer that such medical attention has been received.

Supervisor Responsibility

When an employee reports an accident, the supervisor/foreman or designate, and employee will jointly complete a "Report of Accidental Injury, Industrial Disease, or Other Unusual Occurrence" and forward it immediately to the Workers' Compensation Officer at the Human Resources Centre.

Where an employee needs immediate medical attention, the supervisor/foreman shall arrange for such attention, complete the "Accident Report" and forward it to the Human Resources Centre.

The supervisor must complete an Absence Report if lost time results from the injury/accident.

Human Resources Centre Responsibility

The Workers' Compensation Officer ensures that all illness/injury information is forwarded to the Workers' Compensation Board within the specified time limits and acts as a liaison between the employee and the Workers' Compensation Board.

Human Resources Centre
P.O. Box 40, Station A
Hamilton, Ontario L8N 3A2
Fax (416) 546-2650

Instructions

1. Please Print
2. Part 1 to be completed by patient
3. Part 2 & 3 to be completed by physician
4. Any charge for completing this form is the patient's responsibility
5. Incomplete information will result in Employee being **Non-Paid**

Personal information contained on this form is collected under the authority of the Municipal Act, 1990, Chapter 302, Section 208, and will be used to determine eligibility for short term disability benefits and to evaluate work accommodation alternatives. Questions about this collection should be directed to the Manager of Personnel Services, 25 Main Street West, 19th Floor, Hamilton, Ontario, L8P 1H1, (416) 546-4462.

PART 1 EMPLOYEE - TO BE COMPLETED FOR ABSENCES OF 3 DAYS OR MORE

Name: Address: Phone:

Employee No. Department: Occupation/Title:

Are you eligible to receive disability benefits from any other source?

No _____ Yes _____ Specify:

Please briefly describe the nature and working conditions of your job with particular emphasis on the physical aspects.
(ie. walking, standing, sitting, lifting, bending, driving, etc)

Name of Attending Physician (please print) Telephone number (including area code)

Address (number, street, city, province, postal code)

Patient Authorization: I hereby authorize the release of any information in respect to my claim to Corporate Health Services
Patient's Signature Date: (day, month, year)

PART 2 ATTENDING PHYSICIAN'S STATEMENT

It is important that specific information be provided with reference to the nature of the job and working conditions. Incomplete information will result in employee being **non-paid**.

1. Description of illness or Non-Occupational Injury

2. Please advise how condition affects patient's ability to work (for example restrictions, limitations, proposed surgery, etc.)
(This information may be used to assess the possibility of temporary modified work)

Expected Date of Return to Work (please be specific)
Date (day, month, year)

Cleared to Return to Work
Date (Day, Month, Year)

Physician's Signature

Date (day, month, year)

OVER

PART 3 TO BE COMPLETED FOR ABSENCES OF 15 DAYS OR MORE OR IF PATIENT IS HOSPITALIZED

1. a) Is disability Temporary ____ or Permanent ____ (May impact employee's access to employment)
b) Describe additional conditions or complications which might affect duration of absence from work

2. To the best of your knowledge has patient had same or related condition ____ No ____ Yes, please state when and describe

3. Date of hospital in-patient admission (day, month, year) _____ Date of discharge (day, month, year) _____

4. Nature of treatment (ie. date and type of surgery)

5. Were you actively supervising this patient's care during the full period

____ No, comment in remarks

____ Yes, state frequency of visits

____ weekly

____ monthly

____ other (specify)

6. a) To the best of your knowledge, indicate period patient has been unable to work at own occupation as a result of present condition

From (day, month, year)

To (day, month, year) inclusive

- b) if still unable to work, give approximate date patient should be able to return to full regular duties

7. Remarks - Please provide comments and further details which you feel would be helpful regarding modified work alternatives

Physician's Signature

Date (day, month year)

Human Resource Centre Use Only

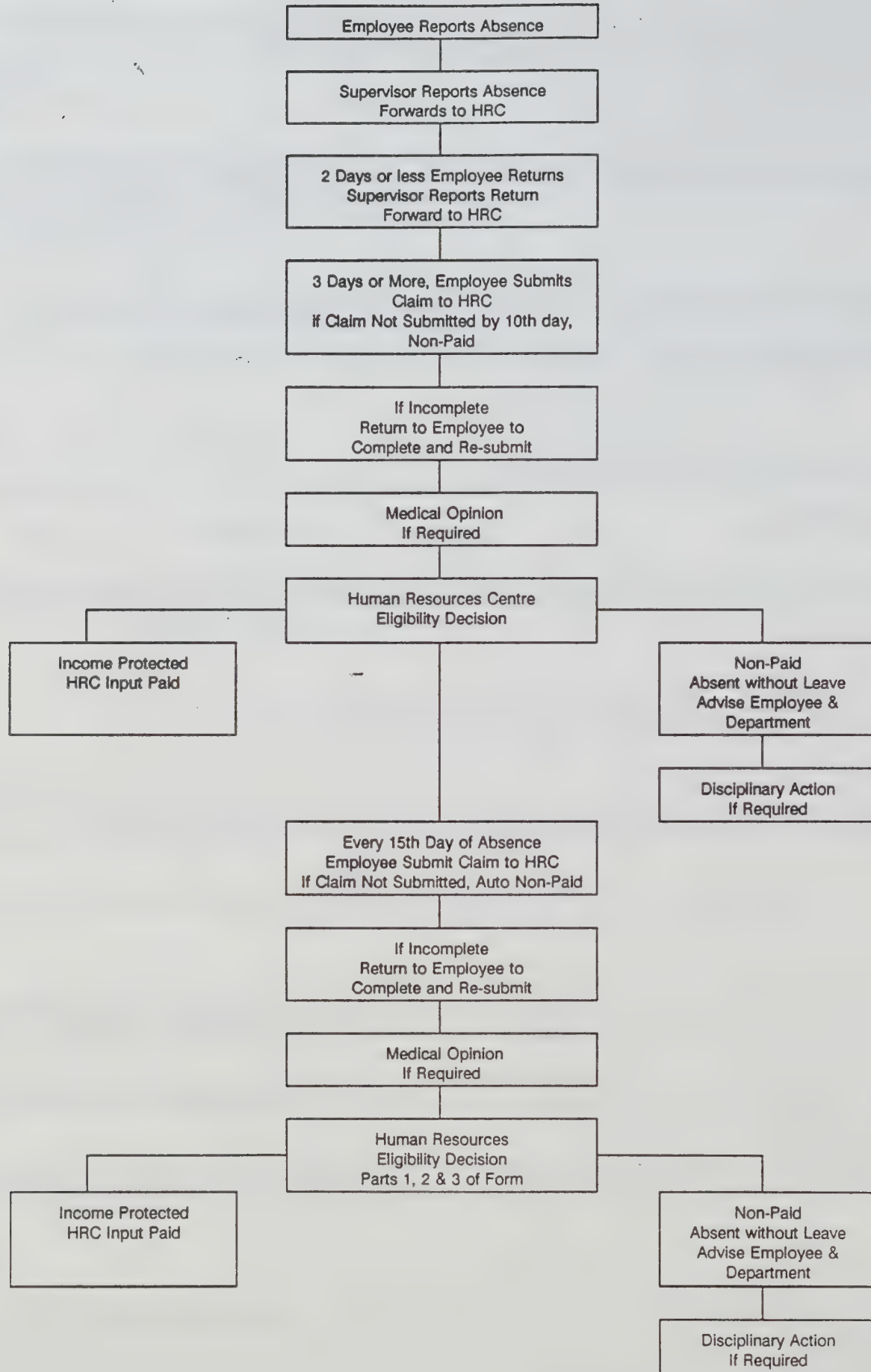
Eligible Yes _____

No _____

Claims Officer: _____

If No State Reason:

Return to Employee _____



**THE CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: DISCIPLINE

DIRECTION: The Discipline Procedure is a corrective process that has been designed to be applied to culpable performance problems consistently and fairly throughout the organization. The focus of the procedure is to help employees achieve acceptable performance through a series of progressive levels.

The violation of any rule, regulation, policy, notice or standard that is published, posted, communicated, or is common sense, will result in a supervisor or manager dealing with the specific violation. The supervisor's actions may include the application of discipline if the violation is found to be culpable (ie. wilful).

RATIONALE: The Corporation recognizes the need to effectively, fairly and consistently manage all aspects of employee performance in order to sustain employee contribution and enthusiasm.

It takes the combined efforts of all Corporation employees to provide the best possible service to the customer and public. The Corporation expects every employee to perform their duties in a satisfactory manner.

The procedure has been developed to:

- a) provide a guide for all employees to follow in the performance of their duties.
- b) assist management in the motivation and direction of their staff

DEFINITIONS: In order to ensure consistency in the application of the procedure, the following definitions have been developed.

Culpable (Wilful Performance Problems)

Culpable performance problems are generally defined as acts on the part of employees resulting in the wilful violation of a rule, regulation, policy, notice or standard. The employees are held accountable because they knew, or ought to have known, that the act was inappropriate. Culpable performance problems are grounds for discipline, perhaps progressive in nature, up to and including discharge.

Suspension Pending Investigation

This is a suspension with/without pay that is issued when the facts pertaining to a particular incident are being investigated and, in the supervisor's opinion, the employee should not continue working until the matter is dealt with. The investigation may result in the employee being suspended without pay or terminated if wilful violation of Corporation policy, rules, regulations, notices or standards is established.

Non-Culpable (Innocent Performance Problems)

Non-culpable performance problems are generally defined as an innocent action resulting in the violation of a rule, regulation, policy, notice or standard. Employees will be counselled and a non-disciplinary letter will be sent, confirming the mutual understanding reached, enabling them to fulfil their performance obligations.

RESPONSIBILITY:

GENERAL

Management

All levels of management will be held accountable for managing the performance of all the employees they supervise. This includes providing the appropriate support to employees to assist them in correcting a performance problem. All supervisory staff are expected to know and to follow the procedures outlined.

Employee

The onus is placed on the employee to maintain a level of performance acceptable to the Corporation.

Human Resources Centre

The Human Resources Centre is responsible for providing administrative support for the discipline procedure. This includes maintaining an official record of all performance related data for each employee as well as providing consultative services to management on discipline issues.

SUPERVISORY GUIDELINES:

Documentation

When an employee violates a rule, regulation, policy, notice or standard, the supervisor must document all relevant circumstances regarding the violation and include statements of witnesses.

Evaluation and Flexibility

The application of discipline will be the result of a prompt and objective evaluation of the individual circumstances of each performance problem.

Dealing with a Performance Problem

When an employee violates a rule, regulation, policy, notice or standard, the supervisor must determine if there was an acceptable reason for breaking the rule, regulation, policy, notice or standard, such as insufficient training or a medical problem, etc.

- a) if the answer is YES, then the supervisor will conclude that the behaviour was NON-CULPABLE (ie. innocent) and proceed as follows:
 - i) review the situation with the employee
 - ii) clarify the rule, regulation, policy, notice or standard for normal situations
 - iii) explain the reasons why the employee's behaviour is not appropriate

- iv) the supervisor and the employee must work towards establishing a plan of action to avoid a similar performance problem in the future
 - v) document the meeting in a letter to the employee and forward to Human Resources to be recorded in the employee's file. The letter should include a clear statement that the incident is non-culpable and the letter is non-disciplinary.
- b) If the answer is NO, then the supervisor will conclude that the behaviour was CULPABLE (ie. wilful) and apply the following procedures.

PROCEDURES:

Progressive Levels

All employees must know the consequences of not meeting performance expectations. Supervisory actions to improve performance may be progressive in nature, based on the seriousness of the problem, the employee's past record, with an emphasis on the last two years of their length of service.

The level at which the disciplinary process is entered is dependant on the seriousness of the violation. Examples of entry levels into the process are provided in the appendix.

At all levels of the procedure, interviews are to be documented and recorded in the employee's file in the Human Resources Centre. All unionized employees shall be advised that they have the right to representation by the Union.

At level 1 and 2, the interviews will be conducted by the employee's supervisor or manager.

Level One (Verbal Warning)

A verbal warning and interview occurs when an employee violates a rule, regulation, standard, notice or policy that is considered to be a Level One performance problem (refer to Level One of the Appendix).

Level Two (Written Reprimand)

This interview occurs when the employee violates a rule, regulation, standard, notice or policy that is considered to be a Level Two performance problem (refer to Level Two of the Appendix), repeats a Level One infraction or is involved in a number of different Level One infractions.

This is the most serious method of dealing with a performance problem without imposing action that results in a suspension to the employee.

Level Three (One Day Suspension)

A one day suspension is a management action that results in the employee missing one days' work without pay for violating a rule, regulation, standard, notice or policy that is considered to be a Level Three violation, (refer to Level Three of the Appendix), repeats a Level Two infraction, or is involved in a number of different Level Two infractions.

A formal interview is conducted by the manager. The employee's supervisor and a union representative will attend (if applicable).

Level Four (Three to Five Day Suspension)

Any subsequent violation of Level Three infractions or is involved in a number of different Level Three infractions.

A three to five day suspension is the most severe management action possible other than dismissal and indicates that there is a very serious performance problem which must be corrected by the employee.

Level Five (Termination)

Termination occurs when the employee violates a rule, regulation, standard, notice or policy that is considered to be a Level Five violation (refer to Level Five in the Appendix), repeats a Level Four infraction or is involved in a culminating incident.

The final interview will be conducted by the division director, the manager and a representative from Human Resources. A union representative will attend (if applicable).

INTERVIEW GUIDELINES:

1. Outline the performance problem by:
 - i) stating the corporation's expectations for every employee to perform at an acceptable level
 - ii) advising the employee of the performance problem
2. Offer the employee an opportunity to explain his/her actions
3. Advise the employee of the action being taken by management as a result of the performance problem and of the consequences if there is no improvement in the employee's performance
4. Stress the need for improvement
5. Jointly establish a plan of action to improve the performance problem
6. Have the employee restate what you have explained to ensure they understand
7. Ask the employee for comments
8. This interview will be documented in a letter to the employee and will be recorded in the employee's personnel file.

DOCUMENTATION

Employee Records

A copy of all disciplinary letters and/or notices must be forwarded to the Human Resources Centre.

All disciplinary documentation will remain in the employee's file in the Human Resources Centre in accordance with all relevant collective agreements. Application of the procedures will place an emphasis on the employee's record in the last two years.

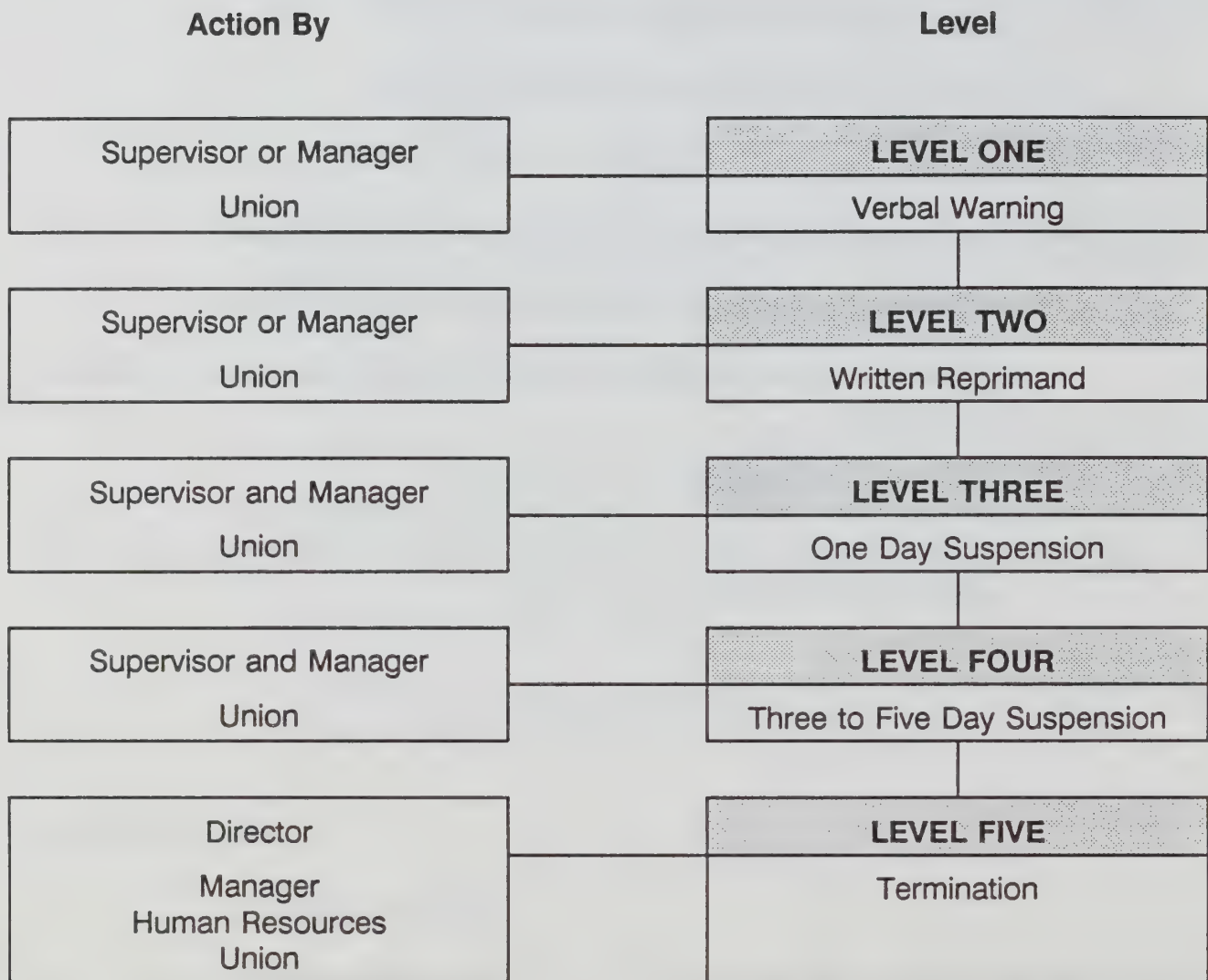
Discipline Procedures Correspondence

The following information is included in a disciplinary letter to an employee:

- a) the date and nature of the incident
- b) the date of the interview with the employee
- c) a summary of the incident
- d) a plan of action for improving the performance problem
- e) expected improvements in the employee's performance
- f) actions that will be taken if the employee's performance does not improve
- g) employee's responses or comments

NOTE: Correspondence to the employee should be prepared as soon as practically possible after an interview.

DISCIPLINARY INTERVIEWS



APPENDIX

LEVEL ONE

Verbal Warning

This list is for reference only and does not limit the application of disciplinary action to those examples noted.

1. Failure to commence work at the beginning of the work period, and leaving prior to the end of the work period. All employees are expected to work from the beginning to the end of the work period and neither arrive late nor leave early.
2. Where the operations are continuous, an employee shall not leave their post at the end of their scheduled shift until they are relieved by supervisor or relieving employee on the incoming shift.
3. Wilful failure to complete required timecards/sheets or activity reports.
4. Failure to report any occupational injury or equipment damage immediately to supervisor.
5. Creating or contributing to unsanitary or unsafe conditions or poor housekeeping (ie. throwing refuse or objects on the floor or out of windows; or failing to remove hazardous objects from assigned work areas).
6. Use or possession of another employee's working equipment without the employee's consent.
7. Distracting the attention of others, or causing confusion by unnecessary shouting or demonstration on the job.
8. Disregarding job duties by neglect of work.

Written Reprimand

This list is for reference only and does not limit the application of disciplinary action to those examples noted.

1. Any subsequent violation of a Level One infraction or involved in a number of different Level One infractions.
2. Neglect or carelessness in observance of official safety or departmental rules, or disregard of common safety practices.
3. Sleeping, appearing to be asleep, or otherwise neglecting duties, during working hours (except where a rest period is permissible)
4. Solicitation/canvassing of municipal employees without permission during working hours.
5. The making or publishing of false or malicious statements concerning any employee, supervisor, the Corporation or its operation.
6. Failure to report an accident in which the employee was involved.
7. Refusing to furnish information when accidents are being investigated.

LEVEL THREE

One day Suspension

This list is for reference only and does not limit the application of disciplinary action to those examples noted.

1. Any subsequent violation of a Level Two infraction or involved in number of different Level Two infractions.
2. Being absent without leave or unexcused absence.
3. Failure to report for overtime work without good reason after being scheduled to work according to overtime arrangements.
4. Refusing to follow the directions of a supervisor (insubordination).
5. Threatening, intimidating, coercing, or interfering with employees or supervisors at any time.
6. Wilful neglect in the performance of assigned duties or in the care, use or custody of any of the Corporation's property.
7. Unauthorized use of Corporation property for private work or performing private work on Corporation time.
8. Leaving an unsecured Corporation vehicle unattended without authorization.

LEVEL FOUR

Three to Five Day Suspension

Any subsequent violation of a Level 3 infraction or involved in a number of different Level Three infractions.

Termination

DO NOT EXERCISE THIS ACTION UNTIL YOU HAVE RECEIVED ADVICE FROM THE COMMISSIONER OF HUMAN RESOURCES, THE CHIEF ADMINISTRATIVE OFFICER, OR LEGAL SERVICES.

This list is for reference only and does not limit the application of disciplinary action to those examples noted.

1. Any subsequent violation of a Level Four infraction or a culminating incident (accumulation of different infractions).
2. Punching/altering another employee's timecard/sheet, punching/altering more than one timecard/sheet, or altering of own timecard/sheet.
3. Falsifying information when accidents are being investigated or falsifying or assist in falsifying personnel or other records, including activity or work performance reports; or giving false information or withholding pertinent information called for in making application for employment.
4. Making false claims or misrepresentations in an attempt to obtain sickness or accident benefits or Worker's Compensation.
5. Bookmaking or gambling of a similar serious nature.
6. Stealing or similar conduct, including the damaging, concealing, or destruction of any property of the Corporation or of other employees.
7. The sale of narcotics.
8. Fighting or attempting to injure another employee.
9. Carrying or possession of firearms, explosives or weapons on Corporation property at any time (unless authorized by nature of position).
10. Misuse or removal of information such as blueprints, lists, Corporation records or confidential information without prior authority from the Corporation.
11. Instigating, leading, or participating in any illegal walkout, strike, sitdown, or standin; refusal to return to work at the scheduled time for the scheduled shift; or other actions which curtail or restrict activities or interfere with work in or about the Corporation's work stations.

LEVEL FIVE cont'd

12. An employee guilty of dishonesty or any dishonest action. Some examples of what is meant by dishonesty or dishonest action are: theft, pilfering, unauthorized opening lockers assigned to other employees, lunch boxes, tool kits, or other property of the Corporation or of other employees; making false statements to secure employment or to secure an excused absence or to justify an absence or tardiness; making or causing to be made, inaccurate or false reports concerning any absence from work; making or joining in a false statement to influence any official action by the Corporation. The foregoing are examples only and do not limit the term "dishonesty" or "dishonest action".
13. An employee shall not engage in unlawful or improper conduct off the Corporation premises or during non-working hours which affect or which tends to affect the Corporation's activities, property, reputation or goodwill in the community.
14. The use of, or being under the influence of, alcohol or illicit drugs on the job. (refer to Substance Use Policy)
15. The intentional abuse of any prescribed or non-prescribed drug. (refer to Substance Use Policy)
16. The possession of illicit drugs or alcohol on corporation property or in corporation vehicles. (refer to Substance Possession Policy)

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: EMPLOYMENT RELATED HEALTH ASSESSMENTS

DIRECTION: Facilitate the placement of employees so they can perform the essential duties of the job without endangering the health and safety of themselves or others.

RESPONSIBILITY: Corporate Health Services

1. Develop and maintain an inventory of positions requiring pre-employment or regularly required health assessments in accordance with legislative and bona fide requirements.
2. Develop and maintain up-to-date physical demands analysis for all positions.
3. Co-ordinate and schedule all pre-employment and regularly required health assessments including position specific testing, evaluation and/or physical assessment.
4. Inform all departments of the due date of employment related health assessments.
5. Co-ordinate the required return to work health assessments consisting of evaluation and/or physical assessment and issue clearances.
6. Report to departments the results of health assessments in accordance with health reporting procedures.
7. Fund all health assessments required by the Corporation.

Departments

1. Advise all employees returning to work after an absence of 11 working days or more due to illness/injury, (STD, WCB or LTD) or returning from any absence due to illness/injury with restrictions, that they must report to Corporate Health for assessment and clearance.
2. Refer all employees for assessment and/or clearances to Corporate Health if there are just concerns with their ability to perform regular duties in a safe and predictable manner which could place themselves or others at risk.
3. Notify employees of the required employment related health assessments and their removal from the work schedule in the event of non-compliance.
4. Advise employees of the results of health assessments in accordance with the following:
 - a) employees reported as able to perform regular duties safely will be issued a clearance and returned to work
 - b) employees reported as unable to perform regular duties safely will be removed from the work schedule and recorded as absent due to illness/injury (STD, WCB or LTD).
 - c) employees reported as able to perform regular duties safely with restrictions will be removed from the work schedule until work accommodation alternatives can be investigated and recorded as absent due to illness/injury (STD, WCB or LTD).

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: **HEALTH PROMOTION**

DIRECTION: Encourage and promote the optimum health and well-being of all employees.

RESPONSIBILITY:

Corporate Health Services

1. Develop and maintain an inventory of new information and information already existing within the Corporation regarding positive health behaviours. (For example; balanced nutrition, appropriate physical activity, good stress management and non-smoking.)
2. Communicate and circulate information promoting positive health behaviours on a regular basis.
3. Promote employee participation in developing positive health behaviours through Corporate programs.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: WORK ACCOMMODATION

DIRECTION: Co-ordinate the rehabilitation of injured/disabled employees in accordance with the Corporate work accommodation policies.

RESPONSIBILITY:

Corporate Health Services

1. Contact all employees absent in excess of 15 working days due to illness/injury to investigate the possibility of temporary modified work alternatives.
2. Evaluate and/or assess employees to determine the physical restrictions as they relate to the duties of the job.
3. Co-ordinate the provision of temporary modified work and/or vocational rehabilitation in accordance with Corporate work accommodation policies.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: HEALTH & SAFETY

DIRECTION: Ensure that healthy and safe working conditions, practices and procedures are established and followed by all employees.

DEFINITIONS:

Approved implies approval by the health and safety section of human resources centre

Proper use and Care implies use according to legislation, C.S.A. or manufacturer's recommended guidelines and strictly prohibits modifications without approval from the health and safety section or misuse or abuse of any kind

Responsibility responsibility is a duty or obligation which has been assigned to you by your supervisor as a part of your job function

the responsibility for health and safety lies with all employees at all levels

Accountability accountability is the control that converts your assigned responsibility into action

if you are required to report that your responsibility has been carried out, you have been made accountable

RESPONSIBILITY:

Chief Administrative Officer

Ensure that the health and safety policy and accident prevention programme is communicated to all levels of the organization and is properly enforced at all levels of the organization.

Hold all levels of the organization responsible and accountable for safety performance.

Corporate Health Services

Regularly monitor the health and safety policy and accident prevention programme and make recommendations for any necessary changes and amendments , in consultation with management and the Joint Health and Safety Committees, as may be required from time to time to improve and update the policy.

Adopt and regularly review specific health and safety objectives and standards consistent with health and safety legislation.

Monitor the health and safety policy and accident prevention programme to ensure compliance with applicable legislation and effectiveness of the internal responsibility system.

Participate in Joint Health and Safety Committees in an advisory role.

Maintain records of the operation of all Joint Health and Safety Committees.

Departmental

Senior Management

Ensure that the health and safety policy and accident prevention programme is communicated to all levels of the department and is properly enforced at all levels of the department.

Hold all levels of the department responsible and accountable for safety performance.

Understand and enforce the employer's health and safety policy and accident prevention programme as well as all appropriate occupational health and safety legislation.

Ensure that proper tools, equipment and personal protective equipment which may be required to perform jobs safely are provided, and to ensure that these are maintained in good condition.

Participate in joint health and safety committee meetings as outlined by the committee structure and any available terms of reference and to consult with the safety committees and the safety officer on a regular basis to ensure proper monitoring of the accident prevention programme.

Superintendents/Managers

Ensure that safe working conditions and job practices as required prevail within their areas of responsibility.

Maintain health and safety as a high priority in all planning and organizational functions.

Be familiar with the conditions and regulations of all applicable health and safety legislation and to ensure that the requirements therein are followed.

Ensure that health and safety policies and procedures are developed, implemented and enforced in their area of responsibility and that no person is permitted to do work without proper training and instruction, and adequate supervision.

Become aware of any injury causing accident within their areas of responsibility and ensure that all necessary accident investigation forms and reports are thoroughly and accurately completed by the injured worker's immediate supervisor and submitted to the appropriate human resources section within the established time frame.

Forepersons/Supervisors

Ensure that the workers perform their tasks safely and under safe working conditions.

Be familiar with conditions and regulations of all applicable health and safety legislation and ensure that the requirements therein are followed.

Rectify any unsafe condition or act immediately. If unable to do so report it to their superior immediately.

Fully investigate and file required reports of all injury causing incidents within their area and submit the report approved by his/her supervisor, to the human resources centre within 24 hours of occurrence. This report will contain recommendations as to the prevention of a recurrence of a similar incident.

Ensure the transportation of injured workers to the nearest medical facility, if required, and must acquire initial medical report on the injured employee for investigative purposes.

Carry out regular safety inspections of their areas, over and above the regular health and safety committee inspections, and initiate corrective action where required to ensure a safe and healthy work environment.

Employee

Be aware of and to comply with the health and safety policy and accident prevention programme of the employer and all applicable safety and health laws and regulations and to take every reasonable precaution to protect him/herself, his/her fellow employees, and the public.

Work safely and shall carry out their assigned duties with such skill and care as to eliminate, as far as practicable, an accidental injury to themselves, to their fellow employees and members of the public.

Promptly report any safety hazards or abnormal conditions to their immediate supervisor.

Report all accidents or injuries, however insignificant to their supervisor, immediately.

Joint Health & Safety Committees

The duties and responsibilities of the joint health and safety committees are outlined in section 8 of the occupational health and safety act. In general committees are required to:

- 1) Provide a communication forum for health and safety issues within the organization.
- 2) Recommend improvements to the safety program.
- 3) Regularly monitor the workplace for unsafe acts and/or conditions and make recommendations to management for correction.
- 4) Set a high standard of safety and by example and action foster in every employee a safety consciousness that prevents accidents and injuries before they occur.
- 5) Forward copies of committee meeting minutes to Corporate Health Services.

General Rules & Regulations - All Levels

The health and safety of all employees is a prime consideration of the employer. All reasonable effort will be extended to ensure that acceptable standards for working conditions are met and in return all employees will be expected to practise safe working habits and maintain clean and orderly conditions to permit a safe and efficient operation.

All employees, visitors and contract employees are bound by these health and safety guidelines and should anyone chose to disregard them, appropriate action will be taken to ensure compliance. (Visitors are the direct responsibility of the supervisor of the area being visited and contractors are the responsibility of the department issuing the contract.)

In areas of the corporation where a Joint Health and Safety Committee does not exist, a worker health and safety representative may be appointed and this person shall have the duties and responsibilities as outlined in Section 7 of the Occupational Health & Safety Act.

The following rules and regulations are intended as a guide and are by no means complete, nor do they cover all possible situations encountered in a multi-faceted organization. Common sense and safe work habits are still the best accident prevention methods.

Each individual department will have specific health and safety rules and regulations developed for its own specific hazardous situations. Check with your supervisor should you have any doubts about a certain operation.

Employees and their supervisors will be held accountable for violations of health and safety rules and regulations. Disciplinary action for such violations will be based on each individual case and will follow the standard disciplinary procedures of the employer. **The minimum recommend action, based on the possible serious consequences of violating safety rules, is a letter of reprimand.**

Housekeeping

Each employee is personally responsible to keep his/her work area in good order. This involves keeping materials, equipment, machines, floors and aisles in a clean and orderly condition. The responsibility extends to common grounds, lunch rooms and washrooms.

All fire fighting equipment and exits shall be kept accessible at all times.

Operating Conditions

All warning signs, posted for employee awareness and protection must be obeyed.

Only authorized persons shall operate any machinery or equipment.

Machine guards and other protective devices must be used during operation.

Machines shall be cleaned, oiled, inspected, and repaired while in a "locked out" position, unless otherwise authorized by the supervision in consultation with the joint health & safety committee or local representative.

Personal Protective Equipment

Every employee must wear personal clothing adequate for his/her protection in his/her normal work. In areas where uniforms, protective clothing and personal protective equipment are issued they shall be worn and maintained in good condition.

Eyes: All employees, including visitors and contractors, must wear approved eye protection when they are performing work or are in an area where work is being performed which may create a hazard to the eyes.

Feet: Approved construction rated safety boots are mandatory on all construction and related job sites and industrial rated safety shoes are required in any industrial type operation. Open toed shoes, sandals, clogs, canvas or recreational running shoes are not acceptable footwear for any work operation. (Specialized footwear may be utilized in certain operations with the approval of the department).

Hearing: Approved hearing protection devices are available and supplied by the employer and must be worn in all operations that create noise levels which are hazardous.

Head: Approved hard hats will be worn on all construction and related job sites and anywhere the possibility of a head injury exists.

Long hair shall be suitably confined to prevent possible entanglement.

Traffic: All employees engaged in construction activities on a public thoroughfare or who are otherwise endangered by vehicular traffic (such as directing traffic) shall wear appropriate traffic safety vests or approved alternative.

Miscellaneous

All injuries, however small, must be reported immediately to your supervisor.

Compressed air hoses must not be used to clean off clothing, etc.

Horseplay during any work operation is totally unacceptable.

Employees involved in an emergency situation must carry out their assignments as outlined in local emergency response plans or follow instructions provided by their supervisor. Other employees not directly involved must remain at their work place unless otherwise instructed by their supervisor.

A safe worker is one who knows and follows health and safety rules and regulations at work, at home, at play and on the highway.

These brief rules are intended not for the purpose of restricting anyone's rights, but to prevent injury causing accidents to our fellow employees.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: HEALTH & SAFETY TRAINING

DIRECTION: Ensure that all employees receive the necessary training and knowledge to enable them to safely perform the work to which they have been assigned.

DEFINITIONS:

Training implies a training program sanctioned by the department and approved by the health and safety section and given in a course format by qualified trainers or experts in a specified field

Personal safety contacts and/or safety meetings between supervisory personnel and employees are considered "awareness sessions" and are not considered as training programs perse. They are in fact reinforcement and reminder tools used to ensure that information obtained in training programs is not easily forgotten.

competent person means a person who,

- i) is qualified because of his knowledge, training and experience to organize the work and its performance,
- ii) is familiar with the provisions of the occupational health and safety act and the regulations that apply to the work, and
- iii) has knowledge of any potential or actual danger to health or safety in the work place

RESPONSIBILITY:

Corporate Health Services

Provide information, instruction and assistance to all supervisory staff in order to assist them in their duties to ensure the health and safety of their employees.

Develop and provide ongoing corporate safety training programmes as required.

Review and approve all departmental training programmes.

Departmental

Identify and determine department specific training requirements in consultation with the Joint Health and Safety Committees.

Co-ordinate department training programmes in consultation with Corporate Health Services.

Ensure that each worker is fully aware of the health and safety policy and the rules and regulations for any specific hazardous operation within his or her area of responsibility.

Ensure that no employee is allowed to do work without proper training, instruction and adequate supervision.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: MONITORING & PREVENTION

DIRECTION: Identify and address potential occupational health and safety hazards to prevent occupational illness/injury.

RESPONSIBILITY:

Corporate Health Services

1. Regularly review all applicable legislation to identify required monitoring and surveillance programs.
2. Co-ordinate all monitoring and surveillance programmes in consultation with the Joint Health and Safety Committees.
3. Respond to notification of potential hazardous conditions.
4. Assess and determine the need for monitoring programmes and/or preventive measures to be implemented.

Departmental

1. Monitor and identify potential hazardous conditions in the workplace in consultation with the Joint Health and Safety Committees.
2. Report all potential hazardous conditions and exposure information to Corporate Health Services.
3. Implement and enforce prevention measures recommended by Corporate Health Services within reasonable time frames.

CORPORATION OF THE CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

PROCEDURES

SUBJECT: PROGRAMME EFFECTIVENESS

DIRECTION: Establish a comprehensive recording system suitable for statistical research for measuring programme effectiveness and determining programme needs.

RESPONSIBILITY:

Corporate Health Services

1. Establish a comprehensive recording system in consultation with departments and the Joint Health and Safety Committees.
2. Analyze statistical information related to workplace accident experience and identify significant trends and directions of workplace hazards and accidents.
3. Notify departments of significant trends and directions of workplace accidents.
4. Maintain an inventory of current and past information regarding preventative measures.
5. Assess and evaluate the effectiveness of current safety training and accident prevention programmes in the workplace.

Departmental

1. Identify departmental reports and information required in consultation with the Joint Health and Safety Committees.
2. Clearly document and communicate workplace accidents and preventive measures in place.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: WHMIS

DIRECTION: To ensure efficient and suitable compliance with the WHMIS legislation (Bill 79 - Amendments to the Occupational Health and Safety Act - in Ontario).

RESPONSIBILITY:

Corporate Health Services

Supply departments with **WHMIS Workplace Labelling** with all the required information upon request.

Labelling

There are two basic labelling responsibilities:

- a) WHMIS products or products without clear identification shall not be allowed into the work process without a **SUPPLIER LABEL** and the specific information required therein.
- b) Any WHMIS product decanted from a supplier container into a workplace container shall have an appropriate workplace label.

Inventory

- 1. Assist the departments in the identification of **WHMIS** products.

Departmental

General

Ensure all employees and supervisors are familiar with WHMIS legislation and the requirement therein.

Inventory

Each division/section shall maintain an inventory of all materials in use within that department or division/section that meet the criteria of being a GAS, LIQUID OR GRANULAR SOLID.

Acquire MATERIAL SAFETY DATA SHEETS on the listed products through the Purchasing Department or from the supplier/manufacturer, if purchasing is done directly.

Identify all items listed on the inventory as WHMIS products or non-WHMIS products by using the list of exemptions, Material Safety Data Sheets, Regulation 654, or Supplier or Manufacturer information available. For further direction in this regard, contact Corporate Health Services.

Present the inventory to the Joint Health and Safety Committee for review and consultation as inventory is revised.

Forward a copy of the inventory to Corporate Health Services for review and follow up.

Provide a floor plan, copy of inventory, and set of M.S.D.S. at a location easily accessible to emergency services.

Forward to the local Fire Department and Medical Officer of Health the **WHMIS** inventory and the floor plan.

Material Safety Data Sheets

Ensure that Material Safety Data Sheets are made available to all employees required to work with hazardous products and are updated every three years.

Ensure that M.S.D.S.'s are located in conspicuous areas where products are used and/or stored, within easy access to all employees required to work with the specified product.

M.S.D.S.'s may not be readily available from the supplier/manufacture for various reasons, even though the law requires their availability. These reasons may be disagreement whether a product is WHMIS or non-WHMIS, and the right of a manufacturer/supplier to withhold the information under the trade secrets section of the regulation. Contact Corporate Health Services should you encounter such a problem.

Ensure that a copy of all new M.S.D.S.'s are forwarded to Corporate Health Services.

Training

Ensure that all workers are trained so that they understand the information on the labels and material safety data sheets for the WHMIS products to which they may be exposed.

This means ENSURING that a worker understands procedures for the safe handling, use, storage, disposal of a material, and the procedures to be followed in an emergency.

Designate one or more competent employees to act as departmental WHMIS co-ordinators and to undertake the responsibility to ensure that all WHMIS related issues are addressed within the department.

Designate one or more employees as WHMIS trainers.

These employees should be capable of delivering an agreed upon generic training program to employees requiring training in their department. Training to be delivered jointly by one management and one worker trainer.

Regularly conduct a needs survey to determine which of their employees require WHMIS training and schedule training prior to commencing work with WHMIS products.

Submit the list of employees requiring training to the Joint Health and Safety Committee for consultation. Once the list of employees to be trained is reviewed, training can be started and a copy of the list forwarded to Corporate Health Services.

The training program is the Workers' Compensation Board Education Authority Program on WHMIS Part I and II.

Department shall continue the educational training in hazardous materials in consultation with the Joint Health and Safety Committee.

CORPORATION OF THE CITY OF HAMILTON REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

PROCEDURES

SUBJECT: SERVICE RECOGNITION

DIRECTION: All permanent full-time and part-time employees will be recognized for service on completion of the 5th year of full-time service and on five year increments thereafter.

DEFINITIONS: Service: an employee's uninterrupted joint municipal service with the Corporation of the City of Hamilton, and the Regional Municipality of Hamilton-Wentworth.

Calculation: two (2) years of part-time service shall be equivalent to 1 year of full-time service.

RESPONSIBILITY:

Human Resources Centre

The Human Resources centre shall arrange for the purchase of all service awards according to the employer's purchasing policy and procedures.

The selection of appropriate service awards shall be the responsibility of the Human Resources Centre in consultation with the Regional Chairman's Office, the City Mayor's office and the Quarter Century Club Committee in order to ensure that awards retain their value and appropriateness for service and are distinct from gifts awarded to external persons or organizations.

All service awards shall bear the employer's crest or logo and indicate the number of years' service.

A week before each calendar quarter, the Human Resources centre will produce a listing, by department, of those employees who will reach a service recognition plateau during the quarter. The list shall include the employee's name and corporate start date and have provision for verification by the department that the award was presented and received.

The list shall be forwarded to the Department Head with the required number of appropriate awards.

Department

On receipt of list of service awards to be presented from Human Resources Centre, the department shall verify that the employee is still employed in that department. Should there be any changes, such as employee having moved to another department, Human Resources shall be notified and the award returned for distribution to the appropriate department.

Service awards shall be presented to employees on a date as close to their anniversary date as regular department operation allows.

Award presentations shall be made in the presence of the employee's co-workers and in a manner which treats the recipient with dignity and respect and promotes the service recognition program.

Presentation of awards for five (5), ten (10), and fifteen (15) years of service shall be made by the employee's immediate supervisor.

Presentation of awards for twenty (20) years of service or greater shall be made by the Department Head or a member of the department's senior management.

When the presentation has been made, the department shall return the list of service awards to the Human Resources Centre indicating when the presentation was made.

FUNDING RESPONSIBILITY:

The Human Resources Centre shall be responsible for budgeting for the costs of the service awards corporately.

QUARTER CENTURY CLUB:

Corporation of the City of Hamilton and Regional Municipality of Hamilton-Wentworth employees who have completed twenty-five (25) years of service shall be members of the Quarter Century Club and invited to attend club meetings/functions.

Administration of the Quarter Century Club is the responsibility of the City Clerk's Department. Funding for Quarter Century Club annual banquet is jointly shared by the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: ATTENDANCE EXCELLENCE RECOGNITION

DIRECTION: All permanent full-time and part-time employees achieving excellent attendance will be recognized by the employer.

DEFINITION: For the purpose of attendance recognition, excellent attendance is defined as no absences for the following reasons in any calendar year.

Leave of Absence
Absent without Leave
Short Term Disability
Long Term Disability
Late
Suspension
Worker's Compensation

ELIGIBILITY: New employees must be employed one full calendar year, from January 1 to December 31, to qualify for excellent attendance recognition and all employees must be available to work for a minimum of ten months in a calendar year.

RESPONSIBILITY:

Human Resources Centre

At the end of each calendar year, the Human Resources Centre shall produce a listing, by Corporation, of those employees who achieved excellent attendance for the year. It will be entitled "Attendance Excellence Honour Roll" and list the employees alphabetically. This list shall be forwarded to each department head and the Chief Administrative Officer.

The Human Resources Centre will arrange for certificates to be printed honouring all employees whose names are on the Attendance Excellence Honour Roll. The Human Resources Centre shall also arrange an Annual Attendance Honour Roll reception to be held during Civic Employee Week.

Chief Administrative Officer

The Chief Administrative Officer shall send a letter to each employee whose name appears on the Attendance Excellence Honour Roll to congratulate them on their achievement and to invite them to the annual Attendance Excellence Honour Roll reception to receive their certificates. The CAO will attend the Attendance Honour Roll reception to present the certificates.

Department Head

On receipt of the Corporate annual Attendance Honour Roll list from the Human Resources Centre, the department head shall ensure that the list is prominently displayed and posted in the workplace and that employees whose names appear on the Roll from that department are appropriately congratulated. Department heads shall also be present at the Attendance Award Reception.

FUNDING RESPONSIBILITY:

The Human Resources Centre shall be responsible for budgeting for the cost of annual reception and the certificates corporately.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: RETIREMENT RECOGNITION

DIRECTION: Permanent employees who retire with a minimum of ten (10) years service with the employer shall be recognized by the Council on a quarterly basis by presentation of a plaque in appreciation of their contribution and service.

RESPONSIBILITY:

Human Resources Centre

The Human Resources Centre shall arrange for the purchase of plaques according to the employer's purchasing policy and procedures. Retirement plaques shall indicate the employer's name, crest or logo, and details of the employee's retirement.

At the beginning of each calendar quarter, the Human Resources Centre shall forward a list of employees retiring during that quarter to the Clerk's Department. The list shall include:

- employee's full name
- years of service
- last department worked for
- date of retirement

The list shall be forwarded to the Clerk's Department with the required number of plaques.

Clerk's Department

On receipt of list of retiring employees from the Human Resources Centre, the Clerk's Department shall:

- a) place the recognition of retiring employees as the first item on the agenda at a Council meeting within the employees last full quarter of employment.
- b) extend invitations to the retiring employees and their families.

- c) ensure the plaques are present for Council presentation.
- d) return plaques for those employees who were unable to attend the Council presentation to the appropriate Department Head.

Department Head

Department Heads are responsible for notifying the Human Resources Centre of those employees opting to retire earlier than age 65.

Should the employee be unable to attend for their presentation by Council, the employee's Department Head shall present the plaque in a manner fitting the occasion.

FUNDING RESPONSIBILITY:

The Human Resources Centre shall be responsible for budgeting for the costs of the retirement awards corporately.

RETIREMENT/FAREWELL FUNCTIONS:

Arrangement of retirement functions, other than the plaque presentation by Council, shall be the responsibility of the retiree's department. The cost shall be the responsibility of the participants.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: TRAINING RECOGNITION

DIRECTION: Employees who have successfully completed corporate in-house training courses shall receive certificates acknowledging the accomplishment.

RESPONSIBILITY:

Human Resources Centre

The Human Resources Centre shall arrange for the purchase of certificates according to the employer's purchasing policy and procedures. Certificates shall indicate the employer's name, crest or logo, the employee's name, the course title and the month and year of course completion.

A record of course completion shall also be placed in the employee's Human Resources file.

Certificates shall be sent to the employee within one month of course completion.

Management

Management shall recognize their employees' completion of all external job related courses through the annual Performance Appraisal Process.

FUNDING RESPONSIBILITY:

The Human Resources Centre shall be responsible for budgeting for training completion certificates corporately.

PROCEDURES

SUBJECT: EMPLOYEE CONTRIBUTION RECOGNITION

DIRECTION: Management shall recognize employee contributions to the organizations by its willingness to invite and consider ideas and suggestions from its employees.

GUIDELINES: Employees shall be encouraged to provide ideas and suggestions concerning their immediate workplace environment and their normal assigned duties and responsibilities.

These suggestions may include such items as:

- protective clothing, uniforms
- tools, equipment and vehicles
- office furniture
- office/worksite layout, etc.

Employees with ideas and suggestions outside of their normal assigned duties may submit them to the Employee Suggestion Programme.

RESPONSIBILITY: Departments heads shall be responsible for ensuring that management staff provide opportunities for employee input and that employees are aware of the vehicles by which to do so.

Input which is within an employee's normal assigned duties and responsibilities may be encouraged through established communication vehicles, such as:

- Labour/ Management meetings
- Unit/ Team meetings

Management shall encourage employees with suggestions outside of their normal assigned duties and responsibilities to submit them to the Employee Suggestion Programme.

GUIDELINES: Management are also encouraged to recognize the contributions of employees by being more visible and accessible to them. This can be accomplished by:

- visits to worksites
- breakfast or coffee gatherings etc.

**CORPORATION OF THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH**

PROCEDURES

SUBJECT: COMMUNITY RECOGNITION

DIRECTION: The Corporation will establish an annual "Municipal Employee Week" to promote and enhance the public image of all municipal employees.

RESPONSIBILITY:

Chief Administrative Officer

The Chief Administrative Officer will organize a number of activities promoting the services provided by the municipality and the employees that provide them.

The activities will be promoted through the various local media and include corporate reports of the services provided and recognition of employee achievements.

Included in the activities will be the Annual Attendance Honour Roll reception.

FUNDING RESPONSIBILITY:

The Chief Administrative Officer shall be responsible for budgeting all costs associated with the Municipal Employee Week, excluding the Attendance Honour Roll reception.

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Urban/Municipal Librarian
Public Library
2nd Floor

J. J. SCHATZ
CITY CLERK

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4

PHONE (416) 546-2700
FAX (416) 546-2095

NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1992 February 06

9:30 o'clock a.m.

Room 233, City Hall

A large, stylized cursive signature of John Thompson.

John Thompson
Secretary

AGENDA:

9:30 a.m.

1. DELEGATIONS

- (a) Proposal for Tivoli Theatre.
- (b) Ken Blaquiere - We Care Kennel Inc. - Pet Care and Control
- (c) H.S.P.C.A. - New Shelter.

2. CONSENT AGENDA

3. ACTING TREASURER

Theatre Terre Nova.

4. DIRECTOR OF PROPERTY

Temporary Closure of Cafeteria - Hamilton City Hall - Asbestos Removal.

5. BUILDING COMMISSIONER

Development Charges By-law 90-74.

6. INTERNATIONAL GREAT LAKES/ST. LAWRENCE MAYORS' CONFERENCE
- SECRETARIAT FUNDING

7. GRANTS CO-ORDINATOR

Referral from Parks and Recreation Committee to Transfer Grant Funds to
Annual Recreational Special Events/Programs

8. NEW BUSINESS

9. ADJOURNMENT

OUTSTANDING ITEMS

FINANCE & ADMINISTRATION COMMITTEE

1. (a) Policy to exempt Parking Authority from realty and business tax -Budget Meeting 1990 Feb. 23 and Regular Meeting 1990 Mar. 22 (Presently under review by Treasurer)
- (b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account - 1990 March 22 (presently under review by Treasurer).
2. Street Vendors Program - Examine all aspects of the Program and report back to Finance and Administration Committee. Report and recommendations pending from Manager, Licensing Division.
3. Review licence fee and approval process for Transient Traders - Report pending from Manager of Licensing.
4. Hamilton Public Library Board - User Pay Policy and Regionalization of Hamilton Library Services (1990 Aug. 23) - Report pending from Library Board.
5. Council Agenda Line (1990 Aug. 23) - Report pending from Manager of Property Maintenance and Manager of Purchasing.
6. Review Concerns of Mr. J. Zipilli re Flea Market By-law 87-234 (1991 April) - Tabled pending report from Manager of Licence Division.
7. Review Civic Awards regulations to include recognition of cultural achievements (1992 January 09). Staff report pending.
8. H.S.P.C.A. to report back on possible amendments to existing legislation to improve power to confiscate vicious animals - 1992 January 23.
9. Temporary Business Tax - Convention Centre - Report pending from Treasurer 1992 January 23.
10. Terms of Employment - School Crossing Guards - Tabled pending further report from Commissioner of Human Resources - 1992 January 23.

1992 January 23

1(a)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 30 JAN 30 1992

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. I. R. Hammel
Acting Treasurer

SUBJECT: PROPOSAL FOR TIVOLI THEATRE

RECOMMENDATION:

- a) That the Finance and Administration Committee not support the request of the Tivoli Foundation for a loan guarantee from the City in the amount of \$100,000,
- b) That the Tivoli Foundation group continue discussions with the Manager of Purchasing and the Managing Director/CEO of HECFI, with respect to obtaining usable surplus equipment or material from City facilities, in accordance with the established purchasing policy on disposal of surplus City property.
- c) That the Tivoli Foundation group continue to seek grants from the upper levels of government, as well as from private subscription.

Roy Hammel

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

I have several concerns with this proposal from a financial standpoint, such as:

- a) the Tivoli Foundation appears to have no assets, therefore they would be unable to offer any collateral for the loan guarantee. I understand the building itself is owned by Mr. Sniderman.
- b) the City would be obliged to set aside the \$100,000 from its own resources in compliance with the Municipal Act in order to offer a loan guarantee. At the present time, taking into account the demands on the capital and current budgets, and the slow growth of the economy at this time, we would be hard-pressed to set aside these funds.

- c) the City has had some negative (financially) experiences in the past few years related to committing funds in some manner to well-intentioned non-profit groups, in that the proposed repayment of funds to the City did not materialize as hoped. I would hesitate to recommend similar proposals at this time in light of past experience and the present state of the economy.
- d) in a report from staff to a committee of HECFI in June 1991 commenting on the impact of the Tivoli Theatre on Hamilton Place, the conclusion was that while the restoration of the Tivoli will have a positive impact on the local performing arts community, it can't help but have a direct and negative impact on Hamilton Place, and therefore on Hamilton Place financial return.

BACKGROUND:

I was requested at the Finance and Administration Committee meeting of 01/24/92 to prepare a report on the proposal of the Tivoli Foundation for a loan guarantee by the City in the amount of \$100,000.

From a financial standpoint, it would not be a good business decision to recommend a \$100,000 loan guarantee for this proposal, and I would urge you to request the Tivoli Foundation group to continue to seek grants from upper levels of government, as well as private funding.

Attached is:

- Tivoli Foundation information package - pages 1-28
- HECFI report - pages 29-31
- Purchasing Policy report on Surplus goods - page 32

IRH/rh Att.

c.c. Ald. W. M. McCulloch

Mr. Brian Morton
Tivoli Foundation

Mr. Gabe Macaluso
Managing Director/CEO - HECFI

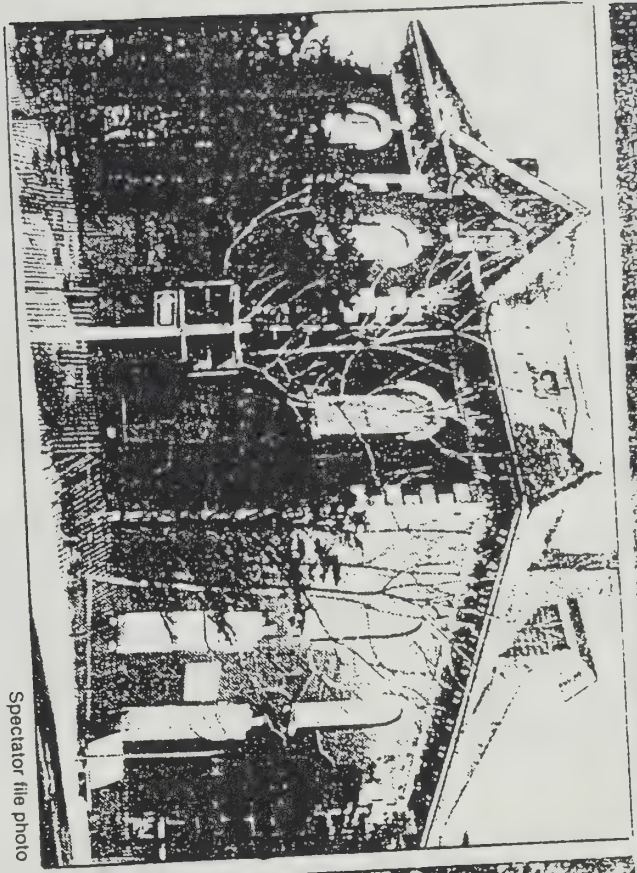
Mr. Tom Bradley
Manager of Purchasing

A GUIDE FOR PRESERVATION OF THE TIVOLI IN HARD TIMES.

A request by the Tivoli Foundation,
to the City of Hamilton for a loan
guarantee of one hundred thousand
dollars to ensure the operation and
preservation of the Tivoli Theatre
on James Street North in Hamilton.

December 31, 1991

IS ONLY IN THE DUST



Spectator file photo



Ted Brellisford, The Spectator

Italianate house at John and Charlton.

Legal battle looms over demolition of 1870s house

By JOHN MENTEK
The Spectator

CHARGES COULD be laid and a legal battle is shaping up over the Boxing Day demolition of a vacant century-old house at the corner of John Street and Charlton Avenue.

A wrecking crew arrived at 74 Charlton Avenue East around 7 a.m. yesterday, and by mid-morning the 1870s-vintage house was reduced to a mound of red bricks and fancy wood trim.

Alderman Don Ross, reached at his home yesterday, said the city had not issued a permit, and the demolition was unauthorized.

Reduced to rubble yesterday.

The owner of the house is a registered charity, the St. Elizabeth Home Society, which has been trying to get permission to demolish the building since 1986.

A lawyer for the society said the decision to go ahead with the demolition was made after the city failed to act on an application.

"We will charge them," Mr. Ross said. "We have to get together with the building department and the (city) legal department today, to find out where, under which act, the appropriate charges will be laid."

Mr. Ross said city lawyers must also determine who will be charged.

The wrecking contractor at the site yesterday admitted he did not possess a demolition permit, but said that was not unusual.

Dan West, owner of West Sewer and Watermain, said he very seldom sees permits when he does demolition work.

Mr. West said he received a telephone call from Julian Gaspar, project manager of the St. Elizabeth Home Society, on Tuesday.

Mr. Gaspar told him to "get a machine in there for Boxing Day," and Mr. West said he

☐ Continued on A2

THE TIVOLI THEATRE

A Guide for Preservation of the Tivoli in Hard Times.

This proposal outlines The Evelyn Group's past involvement with the Tivoli Theatre and our future plans for the building operating as an incorporated non-profit group, The Tivoli Foundation For The Performing Arts.

The Evelyn Group was incorporated to produce the play How Could You Mrs. Dick?. It is composed of Producer Brian Morton, Director Guy Sprung and Playwright Douglas Rodger.
(See Resumes in Appendix)

We are, at present, the Directors of the Tivoli Foundation. If our proposals meet with City approval we would begin the process of expanding the Boards by inviting a City appointee onto the Board. We would also invite the members of the Tivoli Action Committee to become involved with the Foundation. We see our role as an interim one, until the building can be owned and operated by the community.

OUR HISTORY

In late May of 1991, The Evelyn Group first approached Sam Sniderman asking to use the Tivoli Theatre for our production of How Could You, Mrs Dick?.

We had a proven production but we did not have a theatre before we investigated the Tivoli. Originally built as a vaudeville house, the theatre had long operated simply as a movie venue. (See Reasons For Designation in Appendix) Behind the screen, the backstage was in disrepair and the stage dimensions very shallow. It had been many years since its last live performance. Although, the building was not ready for a professional production, we felt the potential advantages; availability, location, seating etc., outweighed the obvious liabilities. We also fell in love with the Tivoli, which played a large role in our decision. The sightlines, acoustics and the ambience of the Tivoli are unique. We knew that somehow, we could re-activate this building.

We had no money to offer the Snidermans. We had personally mortgaged our houses to remount the show but our pockets were certainly not deep enough to pay a full market rent. In spite of our impecunious state, the Sniderman family was amenable to our offer. Based on our track record and experience, they entrusted us with their building. In their own words, we showed "honesty and initiative".

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However they were not interested in putting any more money into the Tivoli. By taking it over, we reduced their costs. (See Agreement) Coincidentally, our use of the Tivoli assured its survival. As long as the Evelyn Group was a tenant, the building was not a financial drain on their operations.

THE EVELYN GROUP'S AGREEMENT WITH THE SNIDERMAN'S

The negotiations took a month to complete. In simple terms, the licence agreement (not a lease) stated that we (The Evelyn Group) were responsible for;

1. The costs incurred in bringing the building up to the requirements of the Building Code, the Fire Marshall, Public Health, etc. in order to re-open to the public. We obtained copies of these inspection reports and met all the conditions required. (New Fire Doors, inspection of the alarm systems, pressure testing of the sprinkler system, etc.)
2. To obey all the requirements of the Historical Board as they affected the designated features of the Tivoli.
3. All of the improvements necessary to activate the Tivoli as a live theatre venue once again. i.e. Installing a lighting grid, building a forestage, re-rigging the fly gallery, opening a box office, installing phones, rigging a front of house lighting truss, creating and equipping dressing rooms, installing washrooms and running hot water to the dressing rooms.
4. The costs of the various taxes, insurance, licence fees and utilities etc., prorated over the period of our tenancy; (That period extends till December 31, 1991.)
5. All of the cosmetic work, paint, repairing the marquee, re-wiring the house lights, repairing the stage floor, seat repairs and the rebulbing of fixtures, and much more, all required to make the building a clean and pleasant place.

WHAT WAS DONE

The work required was extensive. Simply cleaning the building after years of neglect and accumulated debris was an enormous task, one which goes on even now. We even made a simple wheelchair ramp and created Handicapped seating although we could not afford a wheelchair ramp to the washrooms.

We were also faced with a number of emergency plumbing and boiler repairs, which occurred as these things are wont to do, at the very last minute. The choice was simple - either fix them ourselves or close the theatre.

3

When the boiler required repairs, last winter, the Snidermans had simply shut it down and put in electric baseboard heaters. These were sufficient to prevent major freezing damage presumably, but they were not a viable option for an active public building. (There is insufficient power in the Tivoli to operate both show lighting and an electric heating system.)

We operated, through a very cold October spell, with no heat, at great discomfort to actors, staff and audience. The boiler is working now but the system is in need of some repair and upgrading. (A new condensate tank is needed at a cost of about \$3000.)

Similarly, the public washrooms which initially appeared to be in good condition, required a lot of expensive maintenance when they were put to use. (It's likely that Famous Players had not invested any money in repairs during the latter part of its ownership. When the water was turned on, we found the washrooms adjacent to the Projection Room were totally non-functional. There was no hot water to the temporary dressing rooms.)

WHAT WAS INVESTED

Over the course of six months, we have invested about 60,000 dollars of our money into the Tivoli; All of it, revenue from ticket sales for "Mrs Dick". Included in this figure is equipment such as a rolling scaffold system for hanging and focussing lights, the new forestage, an intercom system, dressing rooms, painting and re-decorating, doors and locks, portable heaters, small business machines etc. In other words, necessities for an operative theatre.

We have worked long and hard, for free, in order to realize the re-opening of the Tivoli. We have also subsidized the operation by working for far less money than we could have earned, were we employed elsewhere. We organized teams of volunteers to assist in the work.

The Tivoli Theatre was a big gamble for three artists with an idea and no money, one which we very nearly lost. If "How Could You, Mrs Dick?" had not been the success it was, the result would have been disastrous for us and for the Tivoli.

If it had sat empty one more winter, the Tivoli would have suffered irreparable damage. The money we spent, was spent wisely and for excellent value. It probably cost us less to activate the theatre, than it would for most organizations to commission a feasibility study on the project.

THE TWO YEAR LEASE PROPOSED WITH THE TIVOLI FOUNDATION

We have negotiated in principle, a two year deal with the Sniderman's under similar terms to our licence agreement. One important new element is a one dollar ticket surcharge on all events which will go into a special fund for the restoration of the facade. (The Facade Fund)

The Snidermans made it clear that they will not undertake any capital expenditures at this point, other than perhaps the roof, if it were necessary.

LONG TERM PLAN

This lease agreement will buy crucial time for the Tivoli. We hope that during the two years, steps will be taken to ensure the future of the Building. Clearly the time for action is now. The public awareness of the building is great. (We sold 22,500 tickets for "Mrs Dick"). We have heard, off-the-record, intimations that the Snidermans would be willing to sell. We hope that our continued tenancy can be the catalyst to a positive resolution to the question of the Tivoli's future.

ANCILLARY SPACE: THE TOP TWO FLOORS

Our proposed agreement with the Snidermans gives us at no extra cost, the top two floors of the Tivoli, over 16000 square feet, enough raw space to develop a very effective cultural and office centre in a prominent downtown location. Some work would be required to meet the Fire Codes and to install wash rooms and partitions. We understand that the Hamilton and Region Arts Council and the Hamilton Philharmonic are both in the market for office space. One could see a cost-effective solution in the restoration of the upper stories of the Tivoli.

WHAT IS TO BE DONE IMMEDIATELY

The Tivoli now functions as a theatre but there is much still to be done. There are no curtains, no theatrical lights, and no sound equipment, inadequate dressing rooms and other major limitations.

However there is a constant flow of serious enquiries regarding the rental of the building. We have had to delay acceptance of these offers because we cannot afford to continue to operate the Tivoli without an infusion of operating capital. Just to have all the utilities registered in our name would cost 3000 dollars.

WHAT IS NEEDED.

We need a loan guarantee of one hundred thousand dollars.

We propose that the loan guarantee could be reduced incrementally, after twelve months. This ensures that the Theatre will be up and running over a long

See enclosed Budget and Financial Plan.

We need a donation of any surplus or outdated theatrical equipment from Hamilton Place such as curtains, dimmers, amplifiers or speakers, etc.

WILL THE TIVOLI BE A DRAIN ON THE TAXPAYER?

With an aggressive rental and promotion policy, the Tivoli Theatre can generate sufficient revenue to support itself, if it is kept as the lean, non-bureaucratic organization we have at present. For instance, our entire Holiday Week at The Tivoli, programme which comprised 19 shows, was budgeted at under \$50,000. Ticket prices were set at \$5-12.50, certainly a bargain.

Ticket prices for Tivoli events will be kept as low as possible to ensure accessibility for all the citizens of Hamilton.

At one third the capacity of Hamilton Place and twice the size of The Studio, The Tivoli appeals to a broad base of promoters, community groups and professional entertainers. Even with the cost of renting lights and sound, the Tivoli can be rented for a very reasonable sum. Aside from all the sound historical reasons for saving the Tivoli, there is a very practical one; it is a valuable commodity.

THE IMMEDIATE PLAN

When the loan guarantee is in place, the first year's programming will begin and the Tivoli Foundation in conjunction with the City and Lacac can set about trying to raise money for the purchase restoration. This would be the most cost-effective way of saving the Tivoli and ensuring that it is not a drain on the public purse.

PROPOSED PROGRAMMING AND RENTALS

Some of the shows proposed in 1992 include concerts by Sandra Shamas, Canada's hottest comic; Loreena McKennit whose new record is currently # 3 on the popular music charts; Rod Beattie's hilarious one-man Wingfield Trilogy, which has been seen all across Canada, though never in Hamilton; Sneezy Waters in his legendary Hank Williams Tribute, "The Show He Never Gave". Concert Productions International have also requested information regarding dates and prices.

Symphony Hamilton, Hamilton Theatre Inc. and other local groups have expressed a definite interest in renting the Tivoli. The Hamilton Philharmonic and Opera Hamilton have brought us a proposal for a unified box-office structure which might use the Tivoli as a focal point for the operation. In addition the Board of Education wants to phase all community theatre groups out of Sir John A. McDonald. Where can they go? The Tivoli has a lot to offer.

SUMMARY

With this plan, we can buy time for the Tivoli. If the building is to be saved, sooner or later this situation would arise; To start programming requires money.

However the plan only makes sense if the City of Hamilton is serious about saving the theatre. If that will does not exist, we will turn the Tivoli back to the Sniderman family. It is not being alarmist to suggest that the demolition of the Tivoli might eventually result.

THE EVELYN GROUP

Brian Morton has been active in all aspects of the theatre from directing to production management. He has worked at Lighthouse Theatre, Theatre Aquarius, Stage West and the Blyth Festival. Mr Morton has founded two theatre professional theatre companies and produced a series of Canadian plays at the prestigious Edinburgh Festival in Scotland.

Mr. Sprung has been the Artistic Director of several of Canada's leading theatre companies; including the Vancouver Playhouse, Toronto Free Theatre and the Canadian Stage Company. His work has also been seen on the stages of the Stratford Festival, the Royal Alexandra, Centaur Theatre and Theatre Calgary. In addition Guy Sprung has directed productions in London, Berlin and most recently in Moscow. His experiences directing Shakespeare in the Soviet Union have led to the recent publication of the book Hot Ice, by Winnipeg's Blizzard Press.

Douglas Rodger, has numerous credits in theatre, film and television including a version of the Evelyn Dick story for CBC Television's Scales of Justice series which will be directed by David Cronenberg. Mr Rodger's play Donut City opened at Vancouver's Impulse Theatre in Vancouver on July 24th. His play How Could You Mrs. Dick? was a box office hit at the Tivoli Theatre in Hamilton and at the Wintergarden Theatre in Toronto.

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APPENDIX "B"

A YEAR IN THE LIFE OF THE TIV

Over the course of the Year, we would envision the following scope of activity in the Tivoli Theatre.

COMMUNITY RENTALS

On average twice a month the theatre would be made available to community groups, choirs, bands, drama societies, etc. We have already had demands for these kinds of events from groups such as: Bach Elgar Choir; Te Deum; Symphony Hamilton; Hamilton Multi-Cultural Theatre Ass.; Hamilton Theatre Inc. We would have a special minimum rent for such organizations.

OTHER IMPRESARIOS

We have already rented the theatre to a local impresario for his successful presentation of the hit band Blue Rodeo. Because of the Tivoli is so well suited for musical events of this nature and the cost of the theatre is so minimal, we envision such events happening on average once a month.

FILM NIGHTS

In co-presentation with local film clubs and ventures such as Reg Hartt we would organize a regular series of classical films, childrens' afternoons and special series. Every first Monday of the month for instance might be a Bogart night. Every Saturday afternoon could be a regular presentation of kids' cartoons. This inexpensive concept could be developed over time as a loyal audience was built up.

LIVE LOCAL MUSIC

Once a month, along the lines already attempted during our Holiday week, we would make the theatre available to up and coming local bands, performers, musical groups. Again an inexpensive way of building a following for both the bands and the theatre.

LONGER TERM RENTALS

We have already had a large number of enquiries for future longer term rentals. This would include rehearsals for Opera Hamilton or Hamilton Philharmonic. There has been one enquiry to use the theatre as a recording studio for two weeks. Once the availability and suitability of the venue is more generally known, it is not inconceivable that commercial producers might want to rent the theatre for one or two months at a time. Even Theatre Aquarius, if they had a hit show and could not extend it because of the pre-planned subscription repertoire, might entertain the possibility of transferring into the Tivoli. We anticipate a minimum of four such longer term rentals over the course of the year.

SPECIAL SHORT TERM CO-PRESENTATIONS

There are a number of national and a few international events that we would present in co-operation with the groups themselves or other producers. These include the extraordinary comedian Sandra Shamas with her "Laundry Cycle" of one-woman plays; or special musical events such as Loreena McKennitt, who will be touring Southern Ontario during February. We have also discussed the possibility of bringing in the Wingfield Farm Trilogy with actor Rod Beattie. These are all low budget, low risk events that we would import for a short run of three or four performances. We anticipate being able to bring in six such productions over the course of twelve months. For some of these touring events we would be eligible for grants from the Canada Council and the Ontario Arts Council Touring Fund.

OUR OWN PRODUCTIONS

As we did with How Could You Mrs. Dick, we would continue to develop and rehearse plays at the Tivoli as co-productions with other theatres around the country. In the first year, while devoting a large portion of our energy to setting up the smooth administration of the Theatre and fighting to ensure the building is preserved, we do not anticipate mounting more than two such productions. We would run each production a minimum of three weeks. Any profits from these productions would go to the administration and upkeep of the theatre. We would apply to the Ontario Arts Council and the Canada Council for the necessary funding to stage these productions.

This represents a total usage of just under 50% of the year. Naturally the exact proportion of co-presentations to rentals will not end up as outlined here, but we feel, as the saying goes, "What we lose on the roundabouts we'll make up on the swings".

PRO - FORMA BUDGET
FIRST TWELVE MONTHS AT THE TIVOLI

DATE: December 26, 1991

REVENUES:

Community Rentals	(\$500.00 X 24)	\$12,000.00
Other Impressario	(\$1000.00 X 12)	\$12,000.00
Film Nights	(\$250.00 X 36)	\$9,000.00
Live Local Music	(\$500.00 X 36)	\$6,000.00
Long Term Rentals	(\$7000.00 X 4)	\$28,000.00
Co-Presentations	(\$2000.00 X 6)	\$12,000.00
Our Productions	(\$2000.00 X 2)	\$4,000.00
Concessions		\$5,000.00
Common Area Rental Contribution		\$5,000.00
Ontario Arts Council/Canada Council		\$15,000.00
Private Fundraising		\$10,000.00
Total Revenues:		<hr/> \$118,000.00

NOTES TO THE REVENUE PAGE

All rental revenues are net of any expenditures occasioned by the event itself. Thus if extra technicians are required, or a presentor would like us to run the box office, we will supply these services at an additional cost. Event specific equipment rentals would also be in addition to the basic rents shown in the revenue columns. Netted out of the revenues has been a small fee to the users of the theatre that would go into a "Tivoli Facade Fund".

The revenues attributed to our own productions are extremely, if not ridiculously conservative.

The concession revenue budget should be easily attainable. The six week run of DICK brought in more than this sum.

The building also includes 16,000 sq. of useable office and rehearsal space. Our intention is to approach some of the other homeless community arts groups and offer them space at very minimal rent. The revenues from Common Area Rentals are net of any additional utilities' expenditures.

We will be approaching both the Ontario Arts Council and the Canada Council for minimal initial support for our activities at the Tivoli. The venture is so exciting we anticipate that over the long term we will be able to access considerable provincial and federal financial support. In the first year we have kept our expectations to a minimum.

We also will be approaching foundations and private corporations for financial assistance in the running of the theatre. Our expectations in the first year are also very modest.

EXPENDITURES:

Administrator	\$30,000.00
Production Manager	\$15,000.00
Office Expenses	\$6,000.00
Building Supplies	\$6,000.00
Taxes	\$16,000.00
Heat	\$9,000.00
Telephone	\$3,000.00
Hydro/Water/etc	\$6,000.00
Equipment Purchase	\$20,000.00
Total Expenditures:	<hr/> \$111,000.00

NOTES TO THE EXPENDITURE PAGE

These are the basic costs to keep the theatre open. As mentioned in the notes to the revenue page, they are net of any event specific expenses. Fundamental to our concept is putting an Administrator in place immediately. This person would seek out and contract the rentals, apply for the various grants and sponsorships and be responsible for the financial well being of the theatre. In support would be the Production Manager who would be responsible for the building and all technical aspects of the events. The Production Manager's income would be supplemented by technicians' fees charged to individual users of the space.

Some support staff, from time to time, will be hired under provincial and federal training and make-work programs. Additional technician and box office personnel would be hired and paid for by the individual user groups.

The amount allotted to equipment purchase is very low. This figure depends upon us getting permission to use some of the retired equipment now being stored in the basement of Hamilton Place. Any sound and lighting equipment we do purchase will be amortized over the length of the initial two year lease. As stated, any event specific equipment needs would be paid for by the user groups themselves.

This Pro Forma budget is also drawn up with the assumption that the Tivoli Foundation in conjunction with LACAC and the City itself would secure the ownership of the theatre for the community from the Snidermans'. This same partnership would initiate a capital fundraising campaign for the renovation and preservation of the building. Should the roof suddenly develop a leak, or the plumbing or boiler give way, the funds necessary to deal with such emergencies would come from this capital fund.

NOW

Satirist Nancy White at ease, 'mommipotent'

MIDWAY THROUGH the holiday break ("No day care! No babysitters!"), Nancy White, still fairly fresh in the throes of parenthood with five- and three-year-old daughters, musically and satirically shared some of her traumas at the Tivoli Theatre last night.

It wasn't necessary to be a mother yourself to enjoy the singer but it sure didn't hurt. Informal, at ease, Ms. White's two 45-minute sets dwelt most heavily on contemporary mothering and generous so-prano laughter throughout the night suggested she was hitting an identifiable mark with the sisterhood among the 200 in attendance.

Many of the evening's songs — backed by pianist Bob Johnston and guitarist Rick Whitelaw — were from White's one-year-old recording, *Mommipotent: Songs For Weary Parents*, as though, she confessed, there were any other kind.

So we had musical portraits of mothers who get news of the outside world in radio snatches between babytalk with their offspring; of the eternal see-saw in values when Daughters Of Feminists shuck their mothers' favorite construction boots for pink frilly dresses; of the realities of Bay Street when Grandma's Mutual Fund nest egg for junior disappears in the recession; of the niceties of steering strollers over unshovelled sidewalks in winter; and of The Children's Entertainer ("Mommipotent for maintenance — Daddy for fun").

But White — long the singing radio's Sunday



Stewart Brown

took a break from the frazzling humor of bringing up offspring, to share the delights of parenthood in *Mammamas Have A Secret*. ("Nothing ever smelled as sweet as our little ones at bath time.")

And she dealt with big babies, too, singing about foot-in-the-mouth disease on *Welcome, William Kemping*, *To The Hall Of Hosers*. Other political targets such as Canada's Sweetheart, Joe Clark, and new Papa Pierre Trudeau, got off much easier, with White waxing admiringly on their resilience. Much less lucky was Brian Mulroney.

Her impersonation of Fiona Freud, *Second Lady Of The Guitar*, was a devastating takeoff on the blonde Canadian strummer who would be first.

Seasonal ditties appeared, not only in the one-upmanship of *It's So Chic to Be Pregnant At Christmas*, but in the dilemma of celebrating a Politically Correct Christmas in 1991.

In contrast, New Year's Eve, *The Night From Hell*, was a plaintive and moving lament about a



□ Nancy White: Parenthood and politics.

alone, whatever the cost, on the last night of the year. It noticeably, impressively, sobered the mood of the evening.

Ms. White gave Hamilton hospitality the supreme test when she suggested that this city might regard Toronto in a kinder light than the rest of Canada. Not for

long did she labor under such an illusion. "At least," she conceded, "you've been there: you know why you hate it."

Send more satirical emissaries such as Nancy White, though, and we might just rethink our Hogtown bias.

Rapper's charged lifting m

By ALEX MICO

NEW YORK — Meg Cool J is the latest come embroiled in a versty over his music.

The latest hullabaloo the drum track on album, *Mamma Sa Out* and two of the hit *Way Girl* and *6 Mile* sure, which also we singles.

A Manhattan recording that the dr knocked off from two recordings by Roy mon, entitled *Impudent* and Roy C's *Th Tuff City Reco* the rights to the cords, is charged infringement.

In court papers Tuff City sought a lion in damages in the LL Cool J recording alleged infringement album by rap group.

The lawsuit is cording, Give The its Business As Us tained vocal samp ed from the *Impeac* mushrooming lega

unauthorized "sa involves electro porations of existin hop" music.

TWO EVENTS gave Hamilton theatre a proud, pumped-up autumn. After 18 years, Theatre Aquarius unveiled a new \$11.8 million, 750-seat home with top-flight production facilities. Meanwhile, another 750-seat auditorium, the Tivoli Theatre, was reopened with a smash-hit hometown crime-saga.

Aquarius Ages Stylishly: Theatre Aquarius inhaled a brief smokescreen over the name, then settled into the du Maurier Centre at King William and Ferguson as though it were old home week. A splendid *Man Of La Mancha* drew 13,400, most of them aglow over the huge stage and Karen K. Edissi's volatile tavern wench. Home-grown comedy actor Martin Short headed a gala variety show that raised over \$32,000. More than 11,400 customers returned for *The Woman In Black* and an eye-opening demonstration of stage effects. And 11,000 people welcomed Ebenezer Scrooge in musical fashion with the Aquarius adaptation of *A Christmas Carol*.

"Attendance was fabulous," said Ruth Slater, Theatre Aquarius publicist. "Given that it's the first time that we've had a Christmas show, I think it did really well."

The Tiv Lives! The revitalization of the Tivoli Theatre, the James Street movie house shuttered for two years, was a happy event all around. Playwright Douglas Rodger, another hometown, brought back *How Could You, Mrs. Dick?*, his hard-boiled slice of 1940s Hamiltonia. Audiences lapped up the scandalous adventures of a flirt named Evelyn, her ill-fated husband and her psychologically knotted family. A slick professional production played to 22,500 at the Tivoli over six weeks and another 9,000 in two weeks at Toronto's Winter Garden.

Terra Infrima: On the downside, professional theatre virtually disappeared from Hamilton Place, with the departure of Aquarius from the Studio Theatre for its new quarters.

Meantime, Theatre Terra Nova opened a play in January called *The Chinese Man Said Goodbye*, and took the message to heart, cancelling the latter half of their first season in the Playhouse Theatre. Basically, Terra Nova got too ambitious — trying to stage a professional season of six plays and run and renovate a building they'd purchased with a \$225,000 interest-free city loan — and too few people were trying to do too much. Artistic director

Du Maurier Centre and Tiv took centre stage this year



Jack Hourigan, Special to The Spectator

□ Lesleh Donaldson, left, starred as Evelyn Dick and Carolyn Hetherington played her mother in *How Could You, Mrs. Dick?* at the Tivoli Theatre.

Chris McHarge and director Kevin Land resigned. Terra Nova got some advice from arts administrator Paul Eck over the summer, with the aim of regrouping. A fall art auction raised a disappointing \$500. Now the group is having trouble meeting its monthly payments on the civic loan and the outlook, quite frankly, isn't very good.

Amateur Scene: Community theatre continued to flourish, as it tends to do in these parts. Some of the year's more ambitious productions included *Blood Relations*, the Lizzie Borden story, from the Dundas Little Theatre; *Top Girls*, a drama about the choices offered women today, from Waterdown's Village Theatre; and the rueful musical, *Follies*, from Hamilton Theatre Inc. McMaster University students started a three-play summer

drama festival that drew large crowds, particularly to an outdoor version of *A Midsummer Night's Dream*. A sequel is planned for this July.

Shaw, Stratford Down: Attendance at Ontario's premier theatre festivals dropped. Stratford lost \$1.35 million on 25,000 fewer ticket sales than 1990. The

Shaw, with 28,000 fewer tickets sold, will announce its deficit in January.

Big Tickets: Yet high-priced stage spectacles continued to thrive in Toronto. *The Phantom Of The Opera* celebrated its second anni-

versary at the Pantages Theatre. Headliner Colm Wilkinson took a three-month holiday but is expected back early in 1992. Down Yonge Street, the Elgin Theatre prepared for two more Andrew Lloyd Webber shows: *Aspects Of Love* in December and *Joseph And*

The Amazing Technicolor Dreamcoat in June. Meantime, *Les Miserables* held firm at the Royal Alexandra Theatre, where it's scheduled through mid-March, though Michael Burgess, the production's Jean Valjean, leaves the cast at the end of February. And Alex, where Ed and David Mirvish broke ground for a new 2,000-seat theatre to house *Miss Saigon* in 1993.

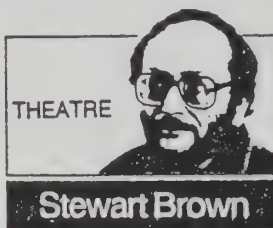
Loving Cups: Hamilton's theatrical personality of the year was Christine Hamilton, founder of the popular Geritol Follies, who won the Elsie Thomson Award. On community theatre stages, *Steel Magnolias* was declared the pick of the Hamilton Players' Gold season, with Follies getting the judges' nod as the top musical from Hamilton Theatre Inc. The Burlington Little Theatre gave its major kudos to *As You Like It*.

In Toronto, *Lilies*, a revenge play by Theatre Passe Muraille, won the Elsie

THE YEAR IN REVIEW THEATRE

Mayor Moore award as best production. Four plays on the Toronto stage, two of them from Quebec, won the Floyd S. Chalmers Canadian Theatre Awards. Polygraph by Robert Lepage and Marie Brassard, La Mésa, suspended by Michel Tremblay, unidentified Human Remains and *The True Nature Of Love* by Brian Friel and Lion In The Streets by Judith Thompson. The 1991 Governor General's Award, for the best new Canadian script, was won in English by John MacLeod for *Amigo's Blue*, written in French by Gilbert Bismont. *My Uncle Marcel Who Wanders Near The Beri Subway*.

International theatre awards this year included Tony's Best Play, *Lost In Yonkers* and The Best of Broadway Review as best play and *Boyz n the City* as best musical. In English, *Boyz n the City* at Lughnasa, the Brian Friel play, and Theatre Plus Toronto's *Boyz n the City* summer, won both the Ontario Evening Standard awards. *Boyz n the City* Jones was judged the best musical. **Wish List:** If there's one play I don't see done in the Hamilton area, it's *It's A Wonderful Life*. I'd like to see either of its sequels, *It's A Wonderful Life* as the Bay-Street-to-Knox-turned-farmer. And, in Toronto, I'd like to see Aquarius at the Studio Theatre in the 1920s. *Boyz n the City* MacLeod that is, not the one by John MacLeod. Page



THEATRE

Stewart Brown

Critic's choice

The 10 best productions of 1991

By STEWART BROWN
The Spectator

HERE, IN ORDER of opening, are my favorite productions of 1991.

Lilies, Theatre Passe Muraille, Toronto. This exploration of homosexuality, the Roman Catholic Church and a French aristocracy lost in Quebec around the turn of the century, was mesmerizing theatre.

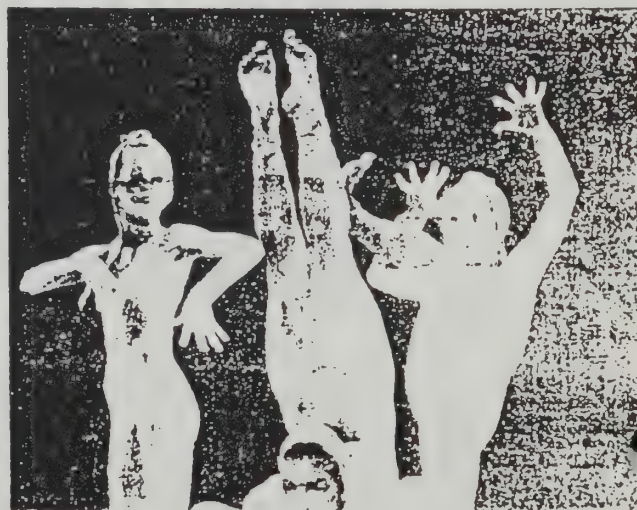
Time And The Conways, Royal Alexandra Theatre, Toronto. Eloquent and moving family drama from J.B. Priestley, with Joan Plowright heading a British cast that included two of her daughters with Laurence Oliv-

Les Belles Soeurs, Stratford Festival. The Michel Tremblay play about 15 working-class women in East Montreal got a blockbuster production from director Marti Maraden and an all-star cast.

Timon Of Athens, Stratford Festival. Impeccable production of Shakespeare's bitter play, with Michael Langham directing and Brian Bedford as the cynical title character.

Cirque du Soleil, Ontario Place. Yes, it's a circus, but the artistic concepts behind this Quebec treasure are brilliantly theatrical.

The School For Wives, Stratford Festival. Bedford again, this time in



Blue Rodeo rocks the Tivoli

NICK KREWEN
The Spectator

ON ONE of the final stops of the year-old Casino tour, Toronto rockers Blue Rodeo figured it was time to take a gamble.

So last night at the Tivoli — the Hamilton theatre's first rock concert ever — the quintet played about a half-dozen new tunes and reworked many of their familiar ones.

The result was an exciting two-hour performance that was a little rough in some places, a little ragged in others, but full of spontaneity and vigor.

Kicking off the show with a new ballad called Is It You, the combined harmonies of Jim Cuddy and Greg Keelor — who share the songwriting and guitar playing duties, and split the lead vocals — were in fine form.

Their aggressive attacks during both What Am I Doing Here and Trust Yourself added extra adrenalin to the power-rock songs, increasing the intensity experienced by the 700 fans.

And isn't keyboardist Bob Wiseman one of the best improvisational talents in contemporary music today? An eccentric performer who largely seems to be lost in his own world when he's onstage, Wiseman lets his fingers do all the talking.

Providing some of the most imaginative and unorthodox solos on keyboard, accordion or harmonica, Wiseman's double-listed solo during Trust Yourself was amazing. He also added his magic touch on the Piranha Fool introduction by utilizing cluster chords, dissonant chord structures and wandering outside the key of the song, but managed to weave all these techniques together and present something that was beautifully cohesive.

Wiseman is also responsible, of course, for the cheesy '60s sound of the Cartisa organ, which aside from Cuddy and Keelor's harmonies, is Blue Rodeo's trademark.

If there was any weakness in the chain, it came from the rhythm section: bassist Basil Donovan and drummer Mark French. The secret of a solid band is an even more solid rhythm section, but unfortunately French seemed to be in a hurry. Sometimes he led the band into the vortex, allowing the momentum and the passion of the music to disrupt his timing.



Ted Brewster. The Spectator

□ Toronto rock band Blue Rodeo performing at the Tivoli.



And there were other times when he was attempting to catch up to Donovan, who was so wrapped up in his playing — especially during his solos — that he forgot to listen to the drummer.

Towards the end of two of the songs,

the bottom dropped out and left a gaping hole that disturbed the flow. Otherwise, the time juggling was barely noticeable.

But it was noticeable.

As previously mentioned, not all the arrangements were kept the same. Love And Understanding received a facelift — or was it a pacelift — and successfully made the transition from midtempo to speedy. And a new ballad, We're Lost Together, smells like a hit.

Blue Rodeo even performed their first instrumental, which gave bassist Donovan a well-deserved spotlight to show off his formidable talents. Other highlights included some strong singing from Jim Cuddy on the ballads After The Rain and Try, a rockin' Diamond

Mine, and a hyperdriven Til I Am Myself Again which finally got a few people dancing.

I guess, since he was the opening act, Hamilton's own Jack de Keyser has the historic distinction of being the first live music performer at the Tivoli.

He acquitted himself very admirably with his acoustic set, strumming blues and rockabilly flavored songs from his fine debut album, Hard Working Man.

Favorites included Long Legged Woman and That's The Way.

"I remember watching the midnight movies at the Tivoli and getting high in my teenage years not so long ago," recalled de Keyser midway through his set.

Musical convictions

Rogers uses songs, humor to support causes

By BRENDA L. WHITEHALL
Special to The Spectator

SOME BENEFIT shows are saturated by lengthy speeches about "the cause." But Saturday night's benefit for Interval House (a women's shelter), featuring Hamilton's Garnet Rogers and Open Mind at the Tivoli Theatre, was garnished more with humor than sermons.

A veteran folk singer/songwriter, Rogers is gifted with a rich baritone voice, a knack for storytelling and a conviction for various charities and political issues. Although Rogers admits he's lost fans because of his "political stance," he believes supporting Interval House shouldn't offend his followers.

"Interval House is something I think really crosses the political borders," said Rogers. "You've got to make people aware that it's a war zone (out there)."

In concert, Rogers leaves fans emotionally drained with his choice of material. His provoking songs — some original and others by his favorite songwriters — deal with the working man's trials and tribulations, combining love with

politics and protesting the injustices of the world. But the 36-year-old performer saves grace between songs with his sense of humor and clever anecdotes.

Joined onstage by fiddle player Doug Long, Rogers performed for nearly two hours before an estimated 350 patrons.

Rogers is a guitar virtuoso. By using open-tunings, he creates melancholic moods to accentuate his evocative, straight from the heart lyrics. Vocally, he caresses his way through tender ballads like Stars In Their Crowns, Black-Eyed Susan and Willie Short or belts out an angry commentary (sometimes to the point of his lyrics being muffled) in political narratives such as Young Willie and Sleeping Buffalo.

The show's highlight was Rogers' rendition of Northwest Passage, a poignant composition by his late brother Stan Rogers. The lights dimmed as Long on fiddle and Rogers on violin played, while fans began singing. It was a magical moment.

Hamilton's popular acoustic rock duo Open Mind presented a superb opening set. After joking

about being introduced by the wrong name, lead vocalist Chantal Chamberland (12-string guitar) and singer/songwriter Cynthia Kerr (acoustic guitar) launched their 30-minute set with the uptempo Lion's Den from their recently released debut cassette, The Stones We Carry...

Chamberland sings like she's making love to every lyric, delivering each song with crystal clear vocals, authentic emotions and delicate facial expressions. Kerr's rich harmonies and seasoned guitar playing enhance the moods created by Chamberland.

Open Mind's music is exciting and aggressive. New songs such as Like A Sacrifice and King Of Vague (which perhaps best showcased the duo's exquisite harmonies) were well received. And their energetic closing number, One More Night, left the crowd wanting more.

The crowd's reception of Open Mind noticeably increased with each song. By the end of their impressive set, fans were applauding as loudly as they later were for the headliner.

And that's quite a feat.



Paul Hourigan, The Spectator
□ Garnet Rogers played at the Tivoli on Saturday.

Tiv tab set at \$3.2 million

Aging theatre's sound condition keeps restoration cost 'reasonable'

By HUGH FRASER
The Spectator

A PRICE tag of \$3.2 million has been attached to plans to restore the Tivoli Theatre to its 1920s glory days.

The price tag was arrived at after a positive feasibility study on the James Street North theatre was completed recently by architect David K. Mesbur, who was responsible for the restoration of Toronto's Pantages Theatre.

Although original estimates for restoration were set at \$2.1 million, Tivoli owner Sam Sniderman, buoyed by the news of the building's structural soundness, called for new washrooms and a larger lobby on space taken from the Sam The Record Man store next door that is slated to open the first week of December.

Although adding a balcony to the theatre proved too expensive, second storey projection rooms will be turned into executive loges to be sold to corporations as part of a fundraising effort. That will add some 300 seats to the 1,000 in the theatre. A tower lounge will also be added.

"That's what escalated the figure by \$1 million," said Sniderman. "But I figured, if we're going to do it, we're going to do it only once and we may as well do it properly."

Because the Tivoli has been designated an historic building by the province, Sniderman is looking for funds from all three levels of government as well as the private sector for the restoration.

Brian Robertson, a Toronto TV and theatre production veteran working with Sniderman on the restoration, is forming a board of directors to raise the funds and run the theatre.

'Just a little bit'

Sniderman says \$3.2 million isn't a lot of money, pointing out \$29 million was spent on the Elgin and Winter Gardens Theatres in Toronto and \$18 million for the Pantages.

"It's just a little bit," he says. "In fact, what he (Mesbur) came up with originally was \$2 million — fully half that on wiring, heating, air conditioning and other services — and said: 'Sam the only reason we can do it this reasonably is that the building itself is in such good condition'."

Robertson says the Hamilton Philharmonic and Opera Hamilton have expressed interest in using the Tivoli and he even has plans for an opening night — a return to 1924 with the audience in period clothes and a vaudeville show televised coast to coast.

The Hamilton Philharmonic is looking into the feasibility of using the theatre as a rehearsal hall, a hall for smaller concerts and office space, while Opera Hamilton is interested in it as a venue for operetta and chamber opera.

But Hamilton Philharmonic general manager Stephen Bye said the HPO's involvement with the Tivoli was "a little bit of chicken and egg thing," saying it's hard to know how suitable a hall is until it has been renovated. That and the fact the HPO is already booking its 1991-1992 season concert space makes it difficult to know just what its participation will be.

Opera Hamilton artistic director Daniel Lipton said that he hopes the theatre could be used for chamber operas both of the baroque and modern eras.

"I'd like to think we could have an experimental opera theatre using young, up and coming singers," he said.

Theatrical touring, bringing in shows from Toronto that normally wouldn't come to Hamilton, and matinee theatre for senior citizens are other uses being considered, said Robertson.

APPENDIX "C"

REASONS FOR DESIGNATION

Tivoli Theatre, 108 -112 James Street North

Built in 1875 as a carriage factory for J.P. Pronguey, the building at 108-112 James Street North has served primarily as a theatre since 1908. In 1924, the building was substantially enlarged by an auditorium added to the rear to accommodate the Tivoli Theatre, the name by which the building has since been known.

Context

With its architecturally impressive facade, dominant corner tower, and high visibility, the Tivoli Theatre is a major contributing component of the James North heritage streetscape. It also provides a dramatic visual terminus to the block extending from Cannon to Wilson Street. The adjacent site at the north-east corner of James and Wilson was, for many years, occupied by the Grand Opera House and Hotel, erected in 1880 and demolished respectively in 1960 and 1986.

Historical Significance

In the course of its history, the building at 108-112 James Street North has served many different uses: a carriage works (until 1901), a bowling alley on the second floor (1908-64), various restaurants and retail businesses at street level; and of particular significance, a succession of theatres: the Wonderland (1908), the Colonial (1909-12), and the Princess (1913-23), all located in the space which became the lobby of the Tivoli Theatre, and finally, the Tivoli itself.

The Tivoli has an important place in Hamilton's theatre history. The Wonderland was reputedly the City's first film theatre while the Tivoli, a vaudeville theatre and motion picture house, was the first theatre to introduce sound movies in the late 1920s. Of the numerous theatres built in Hamilton during the early 20th century, the Tivoli counted among the seven largest and grandest, the most resplendent of which were the Capitol and the Palace. All but the Lyric (now the Century) and the Tivoli have been demolished; and of these two only the Tivoli Theatre has retained any part of its original interior decor.

Architectural Significance

Exterior

Clearly intended to make a bold statement of Pronguey's entrepreneurial ambitions, the original carriage factory was designed by Hamilton architect Albert H. Hills in the popular Second Empire style. Characteristic of this style are the steeply-pitched mansard roof with dormers, the bracketed cornices, and rich classical detailing. Noteworthy features of the Tivoli facade include the round-arched windows with two-over-two sash windows and ornate moulded surrounds, the gabled dormer windows, and the tall mansard-roofed tower. This convex-shaped tower displays narrow, paired

arched dormers surmounted by circular windows and a bracketted cornice, originally crowned by ornamental iron cresting.

The later Tivoli Theatre entrance originally featured an octagonal ticket office and an ornamental sign marquee, above which was a vertical "Tivoli" sign projecting at right angles to the street. Only the basic structure of the marquee, however, survived the major alterations made to the entrance in 1954.

Interior

The Tivoli Theatre was greatly admired for its sumptuously decorated "Italian Renaissance" interior, designed by Toronto architect B. Kingston Hall. While a significant proportion of the original decor was removed or covered in the course of renovations undertaken in 1943, 1947 and 1954 (when the most extensive remodelling occurred), the main architectural features of the auditorium are still largely intact. These include the proscenium, the ceiling with its elliptical design, the decorative cornice and frieze below, and along each side wall: a colonnade comprising five round arches sprung from coupled pilasters. The two arches on either side of the stage still contain the original bronze statues of Caesar Augustus and the goddess Minerva. At the base of each of the other eight arches are medallions depicting the four seasons.

Designated Features

Important to the preservation of the Tivoli Theatre are:

1. the original architectural features of the front (west) and side (south) facades, including the upper-storey arched windows, moulded surrounds, bracketted cornice, and slate-covered mansard roof with its dormers and corner tower.
2. the original architectural features of the lobby and auditorium, including the ceilings, proscenium, colonnades, statuary, and other decorative wall elements. Excluded from designation are the more recent additions, such as the floor covering, seating and stage curtain.

EXHIBIT "B"

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1980, CHAPTER 337,

AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING MUNICIPALITY ADDRESS IN THE CITY OF HAMILTON IN THE PROVINCE OF ONTARIO.

NOTICE OF PASSING OF BY-LAW

TAKE NOTICE that the Council of The Corporation of the City of Hamilton has passed By-law Number 90-255 to designate the following property as being of architectural and/or historical value of interest under Part IV of The Ontario Heritage Act.

108-112 James Street North
DATED AT HAMILTON this 13th
day of SEPTEMBER, 1990.

"K.E. AVERY"
(Clerk)

THIS IS EXHIBIT "B" REFERRED TO IN THE
DECLARATION OF KEITH EDWIN
AVERY SWORN BEFORE ME THIS 2ND
DAY OF OCTOBER,
A.D., 19 90.

[Signature]
A COMMISSIONER, ETC.

STANLEY GEORGE HOLLOWELL, a Commissioner, etc., Judicial District of Hamilton-Wentworth, for the Corporation of the City of Hamilton.
Expires April 1st, 1991

DOMINION OF CANADA)
Province of Ontario)
Judicial District)
of)
Hamilton-Wentworth)

IN THE MATTER OF The Ontario Heritage Act.
AND IN THE MATTER OF Lands and Premises
in the City of Hamilton, Known Municipally
as 108-112 James Street North.

RECEIVED
PLANNING
OCT 10 1990
REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

I, Keith Edwin Avery

of the City of Hamilton in the Regional Municipality of Hamilton-Wentworth.

DO SOLEMNLY DECLARE:

1. That I am the Clerk of The Corporation of the City of Hamilton and, as such have knowledge of the matters herein deposed to.
2. That I have made a search of the files of The Hamilton Spectator, a newspaper of general circulation in the City of Hamilton, and find that the Notice of Passing of By-law Number 90-249, a copy of which is annexed hereto and marked Exhibit "A", was duly published in the said newspaper in the issues of Thursday, September 13th, 20th and 27th, 1990.
3. That By-law Number 90-249, a copy of which is annexed hereto and marked Exhibit "B", was sent by registered mail on Monday, September 17th, 1990, to each of the following:
 - (i) The Ontario Heritage Foundation,
77 Bloor St. West, 7th Floor,
TORONTO, Ontario M7A 2R9
 - (ii) Mr. Sam Sniderman,
c/o Mr. Morton Smith, Q.C.,
111 Richmond St. West, Suite 1400,
TORONTO, Ontario
M5H 2G4

AND I make this solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

DECLARED before me at the City)
of Hamilton)
in the Regional Municipality)
of Hamilton-Wentworth)
this 2nd day of October)
A.D. 1990.

[Signature]
A Commissioner, etc.

[Signature]

The Corporation of the City of Hamilton

BY-LAW NO. 90- 255

To Designate:

LAND LOCATED AT MUNICIPAL NOS. 108-112 JAMES STREET NORTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:


1. The property located at Municipal Nos. 108-112 James Street North and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

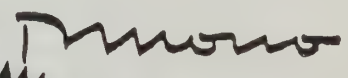
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

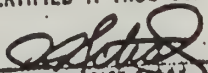
3. The City Clerk is hereby authorized and directed,
(i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
(ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this 28th day of August

A.D. 1990.


Deputy City Clerk


Mayor


DEPUTY CITY CLERK

Schedule "A"

To

By-law No. 90-255

Tivoli Theatre

108-112 James Street North, Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, being composed of:

PART OF Lot Number 2 fronting on James Street, and Part of Lot Number 3 fronting on Hughson Street according to James Hughson Survey and being in the block bounded by James, Wilson, Hughson and Cannon Streets and which parcel of land is designated Parts 1, 2 and 3 according to a plan of record deposited in the Land Registry Office for the Registry Division of Wentworth as Number 62R-10419.

TOGETHER WITH the right to pass over, along, upon and to use as a right of way Part of Lot Number 2 fronting on Hughson Street and which right of way is designated Part 6 according to the said Plan 62R-10419 and,

TOGETHER WITH a right of way over Part of Lot Number 3 fronting on James Street and which right of way is designated Part 7 according to the said Plan 62R-10419,

SUBJECT TO the right of all others entitled thereto to pass over, along, upon and to use as a right of way Part of Lot Number 3 fronting on Hughson Street and which right of way is designated Part 3 according to the said Plan 62R-10419.

Schedule "B"

to

By-law No. 90- 355

REASONS FOR DESIGNATION

Tivoli Theatre, 108 -112 James Street North

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Context

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DECLARATION OF KEITH EDWIN
AVERY SWORN BEFORE ME THIS 2ND
DAY OF OCTOBER,
A.D., 1990
Stanley George Hollowell
A COMMISSIONER, ETC.

STANLEY GEORGE HOLLOWELL, a Commissioner, etc., Judicial District of Hamilton-Wentworth, for the Corporation of the City of Hamilton.
Expires April 1st, 1991



Hamilton
Entertainment
and Convention
Facilities Inc.

29
HECFI Marketing Sales
c/o Hamilton Convention C
115 King Street West
Second Floor
Hamilton, Ontario
Tel. 416-523-5883

MEMO TO: THE HECFI MARKETING AND SALES COMMITTEE

FROM: Mr. Gabe Macaluso, Managing Director/CEO
Mr. Barry Snetsinger, Director of Marketing & Sales

DATE: 12 June 1991

SUBJECT: IMPACT OF THE TIVOLI THEATRE ON HAMILTON PLACE

RECOMMENDATION

- 1. THAT THE REPORT REGARDING THE IMPACT ON HAMILTON PLACE OF THE RESTORATION OF THE TIVOLI THEATRE BE RECEIVED BY THE MARKETING AND SALES COMMITTEE.**
- 2. THAT THE REPORT BE FORWARDED TO HAMILTON CITY COUNCIL.**

BACKGROUND

The Tivoli Theatre Foundation has submitted a grant request to the City of Hamilton for financial assistance to offset the costs of restoring the Tivoli Theatre. The theatre would then be made available for both non-profit and profit oriented performing theatre companies. The Grants Review Group expressed some concern as to the impact, if any, on Hamilton Place should this request be favourable.

As a result, at the City's Finance & Administration Committee meeting of April 4th, 1991 the following recommendation was approved:

"That the HECFI Board be requested to comment on the impact on Hamilton Place should the request from the Tivoli Theatre Foundation for funds to restore the Tivoli Theatre be successful, (such funds to be outside of the 1991 Current General Grant funds.)"

THE POSITION OF THE TIVOLI THEATRE FOUNDATION

1. The City of Hamilton and surrounding area is totally under-serviced from a performing arts point of view.
2. Most citizens have to travel to Toronto to see productions of major theatrical touring attractions.
3. With a seating capacity of 1,000 the Tivoli Theatre will comfortably serve as a major touring venue for compatible theatrical and concert productions.
4. Both the Hamilton Philharmonic Orchestra and Opera Hamilton will be invited to use the Tivoli Theatre on a regular basis.

ANALYSIS

The addition of another entertainment venue will foster and encourage the continued growth of the local arts community, create new full-time jobs, and boost the retail and tourism markets. While no one can disagree with the objective of saving and restoring one of Hamilton's last remaining cultural/historical properties our task is to comment on the specific impact that the project, in our opinion, could have on the on-going operation of Hamilton Place. It is in this context that the following is offered:

1. **"The City of Hamilton and surrounding area is totally under-serviced from a performing arts point of view."**

Staff would like access to the background data that supports this conclusion before any specific comment.

2. **"Most citizens have to travel to Toronto to see productions of major theatrical touring attractions."**

The reason that Hamiltonians must travel to Toronto to see productions of major theatrical touring attractions is a consequence of the territorial protection issue that directly affects us because of our proximity to Toronto. The Canadian rights for productions like "Cats", "Les Miserables", and "Phantom of The Opera" literally cost millions. In order to recoup the investment the rights-holder must first exhaust those markets with the highest gross potential before taking the production to a market like Hamilton. Markets outside the territorial boundaries, like Montreal, Ottawa and Winnipeg often get access to these productions before Hamilton, not because they pay more for the show but rather because they are well outside the Toronto trading area. The restoration of the Tivoli Theatre will have no impact on this issue.

3. **"With a seating capacity of 1,000 the Tivoli Theatre will comfortably serve as a major touring venue for compatible theatrical and concert productions."**

Increasingly promoters and producers are looking to share the risk of theatrical productions with the venue. As a consequence facilities, like Hamilton Place, must be prepared to enter into co-promotion arrangements if they hope to attract first-class shows. Most co-promotion joint ventures are relatively simple arrangements whereby profit is shared in the same proportion as capital is risked. However, the high cost of most touring shows demands a significant gross potential for payout to be realistic, and increasingly, even with over 2,000 seats, Hamilton Place often has trouble generating the kind of revenues that a joint venture demands. Moreover, with two theatres competing for major touring attractions it is possible that the population and economic base here in Hamilton may not be sufficient to sustain the longer runs, and high ticket price that these productions will demand.

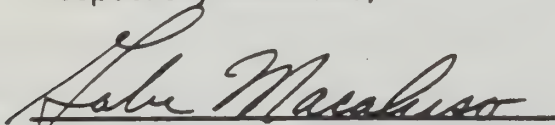
4. **Both the Hamilton Philharmonic Orchestra and Opera Hamilton will be invited to use the Tivoli Theatre on a regular basis.**

When the Tivoli comes on-line it will provide an opportunity for both the Hamilton Philharmonic and Opera Hamilton to have access to alternative professional space. This will in turn free-up dates in the Great Hall that can be sold to other promoters and producers.

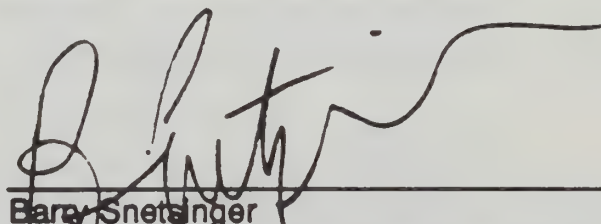
CONCLUSION

While the restoration of the Tivoli Theatre will undoubtedly have an overall positive impact on the local performing arts community it can't help but have a direct and negative impact on Hamilton Place; it's availability will create more competition for both patron dollars in a market (ie. Niagara, golden horeshore, Toronto) already saturated with entertainment choices, and for promoters and producers who currently have a wide variety of venues to choose from in this area.

Respectfully submitted,



**Gabe Macaluso
MANAGING DIRECTOR/CEO**



**Barry Snetinger
DIRECTOR OF MARKETING AND SALES**

PREPARED BY: Purchasing Division

ADOPTED BY COUNCIL
July, 1975

SUBJECT: DISPOSAL OF SURPLUS GOODS

THIS POLICY IS: New X Existing Revised Rescinded

Only the Purchasing Division shall dispose of declared surplus property in the most cost efficient and effective manner after approval has been received from the Chief Administrator Officer, provided that any useable equipment or material has been offered first to other user Regional Departments, secondly to Area Municipalities, and thirdly to public agencies within the Co-operative Purchasing Group. If there is still property to be disposed of it can be sold through sealed bids or public auction.

No employee or elected official shall bid on the sale of goods except those disposed of by public auction or sealed bids.

No employee of the City, working at the auction, shall bid for any such items.

POLICY MANUAL INFORMATION:

Tab - Treasury Section - Purchasing
Subject - Disposal of Surplus Goods

PROCEDURES: Attached Page 75 Not Required _____
Included in (Manual Name) _____

1 (b).

We Care Kennel Inc.
163 Canada St.
Hamilton, Ontario
L8P 1P7

Sir or Madam;

This proposal is intended to serve as a brief introduction to our system of pet care and control. At the time of your commitment to the Humane society, we were not fully prepared to implement this program; as such, this might be deemed as a 'pilot project' for our company. We appreciate the commitment you have shown in supporting the pet care industry through your support of the Humane Society, and wish only to present an alternative, for closer scrutiny.

Without further consultation, we do not feel comfortable at this time in presenting financial data, or speculations as to the cost of such a system. Such matters, we feel, would require input from both sides, so that we might design a system of pet care tailored to your specific needs. We sincerely believe that our system of pet care cannot fail to meet the needs of the public, at a substantially reduced cost to taxpayers.

Sincerely,

Ken Blacquiere

Ken Blacquiere

We Care Kennel Inc.
163 Canada St.
Hamilton, Ontario
L8P 1P7

Statement of Purpose:

We Care Kennel Inc. was originally founded in 1990 in the province of Prince Edward Island for the breeding of high-quality working dogs for export to the United States. Through this early venture came the realization that pet-related concerns were costing municipalities, and tax-payers, more with each passing year. Existing pet-care and pet-control systems are based on a system of 'adoption': strays and lost animals will be looked after by the system itself until permanent homes can be found. Thus, the burden of responsibility is placed upon the pet-care industry itself, and not upon pet-owners, resulting in a heavy financial burden upon all taxpayers.

We now offer an alternative. We Care Kennel Inc. offers a system of responsible pet care and control. Through a form of pet 'ID', with records being kept on computer file, lost animals can quickly and easily be returned to their owners. Ultimately, costs for such care and control are the responsibility of the owner alone. With a decreased reliance upon tax-payers, a reduction in necessary tax-support will be realized.

The basis of this system is responsible pet care. Not only does an efficient form of pet identification allow pet-owners 'peace of mind', but it also ensures that owners are responsible and accountable for the welfare of their pet.

In a similar vein, we also offer our Peace of Mind plan, a long-term retirement plan for pets. For minimal cost to the owner, we will board and care for family pets, in spacious kennels. We have dubbed this as 'peace of mind', because of the nature of the service we provide: animals are looked after, fed, exercised six days a week, and essentially cared for as though they were our own, for as long as is desired by the pet owners. Animals aren't just 'boxed', but are cared for as the owners would desire. Our goal is pet care that meets the needs and desires of the pet owners, as dictated by the owners themselves.

Because of the our low user-rates, we insist, as part of this program, that excess money raised is redirected back into the community for other health-care issues, on behalf of the pet

Where do we fit in??

According to Statistics Canada (1989), there are approximately 9.5 million households in Canada, caring for approximately 4.2 million pets; 1.5 million of these in Ontario alone. Pet care is, by necessity, of interest to a large portion of the community. There is, however, a sector of the community which is not directly interested in pet care, or pet-related issues.

The type of pet control most desirable to any community, then, is that system which provides adequate and desirable service to pet owners, without unduly taxing other members of that same community. Our insistence on responsible pet care seeks to meet the needs of pet owners, without placing undue pressure upon other segments of the population.

Existing systems of pet care rely heavily on adoption programs, thus resulting in the public expectation that injured or 'stray' animals will be cared for until a suitable home is found. In the case of animals who have been accidentally separated from their owners, this seems a humane, and ideal method of pet care. Many strays, however, are either lost through the negligence of their owners, or are deliberately abandoned. Not only is such treatment costly to municipalities, but it is unfair to both the animals and the pet care industry. Such problems include:

1. pets being run over on streets
2. pets being abandoned on sides of roads, sometimes with litter of puppies/kittens
3. pets being picked up in very unhealthy conditions
4. pets biting people while 'running at large'
5. pets running wild, killing or maiming livestock
6. pet causing property damage (flower beds, children's playgrounds)

We thus propose that the existing pet-care system seems to condone such irresponsible behaviour through its policy of adoption, where the bulk of responsibility is not upon pet owners to look after their pets, but rather upon the industry to look after pet-care for these owners. Furthermore, we firmly believe that the solution for such problems resides in shifting the onus of responsibility back upon the community, or more specifically, upon individual pet owners. Instead of municipalities being responsible for pets, pet owners should be responsible for their

Method of Implementation:

Such difficulties cannot easily be corrected, since the industry is currently oriented towards a adoption-based system. We thus propose, as our goal, the eventual permanent identification of all pets within the community. This would enable pet-owners to be easily notified if their pet is picked up, as well as enable us to trace ownership of pets under other circumstances. With the implementation of this system, damages caused by pets could be ultimately traced back to pet owners, removing the burden of responsibility for such damages from the municipality. Furthermore, this would discourage the deliberate abandonment or ill-treatment of pets at the hands of pet-owners.

To meet this goal, then, we would propose an initial 'grace period' during which we would continue to operate under the existing methodology, in order to gradually introduce the public to our system of 'responsible' pet care. While this might seem an ambitious goal, it's implementation could be seen in a reasonably short period of time, with the assistance of existing pet-care specialists (veterinarians and breeders). With the assistance of such specialists in the identification process, and eventual public support, we would be able to make a smooth transition to the new system.

There are a number of possible solutions to the problem of permanent identification of pets. The Canadian Kennel Federation's system of identification via. tattooing, used by breeders, is an already well established system of animal identification which could easily be implemented among pets within the community. With the cooperation of the Department of Agriculture Canada, we could extend this form of licensing to include family pets as well. With the cooperation of the municipality, veterinarians and breeders, we could implement this system in a reasonably short period of time. With this type of system, identification of pets through a computer database would be a simple process.

How do we benefit the community?

Our plan of pet-care is designed, first and foremost, to benefit the community. We firmly believe that such a plan should meet the needs of the community in which it is located, at a minimal cost to the community. As such, we have attempted to tailor our system of pet-care around what we feel are existing problems for the community, as well as deficiencies in similar pet-care systems.

First, our system of pet identification is intended to reduce the costs of pet-care and pet-control to the taxpayer, but also to educate the public as to the responsibilities of pet-ownership. Through such a system, we believe we can reduce the incidence of pet abandonment, damages caused by pets to livestock, property and so on. Making individuals responsible for their pets is the key to reducing pet-care costs.

Our system of long-term boarding for pets fulfils a twofold purpose: first, it fills what we see as a need within the community for affordable long-term boarding (existing privately-run facilities already exist in other areas, but are quite expensive). Secondly, such a program offers an alternative to people who cannot find a 'new home' for a pet, thus discouraging abandonment of such pets. Again, owners are responsible for finding a home for their pets, and are no longer encouraged to abandon animals with the expectation that they will be looked after by the pet-care system.

This system of boarding is intended to be run at an extremely low profit-margin: boarding will be negotiated on a one-year contractual basis. In the event of the death of a pet, any remaining money from the contract will be directed into a charitable organization of the owner's choice, such as the United Way, Canadian Cancer Society, Hope Foundation for Abused Women, or any other charitable organization which directly benefits the pet-owner's community.

It seems as though the existing pet-care system has shifted it's focus away from the community in order to address larger issues of animal care and animal rights. We feel that such a position can only separate the community, and in no way addresses those smaller-scale issues that are relevant within the community. We feel that the time has come to shift the focus of pet-care back into the community, where it is needed the most.



THE HAMILTON
SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS

Wednesday, January 29, 1992

To:- John Thompson
Secretary
Finance and Administration Committee
City of Hamilton

From:- Cam Stableford
General Manager

SUBJECT:- NEW SHELTER / HSPCA

The purpose of this submission is two-fold; to bring the Committee up-to-date concerning various aspects of the development of plans regarding the construction of new facilities; and, to more formally address the capitalization of the project specifically with respect to the participation of the Corporation of the City of Hamilton.

Our request and recommendation for City of Hamilton funding is that;

The City of Hamilton set aside funds in it's 1992 - 1997 Capital Budget to assist the Hamilton Society for the Prevention of Cruelty to Animals in the construction of new Animal Control / Humane Society Headquarters on the Dartnell Road site.

and that;

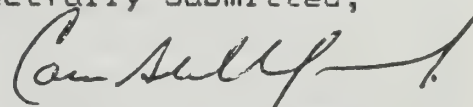
The amount of City of Hamilton contribution be an amount which matches the private funding provided by the Hamilton SPCA through Capital Reserves, Fundraising Campaigns and other gifts.

and that;

The amount of the City of Hamilton contribution be limited to a maximum amount of \$3.5 million.

The Board of Directors of the Hamilton SPCA is respectfully requesting your favourable consideration of our proposal.

Respectfully Submitted,



Cam Stableford
General Manager

Background

Building Site

The Regional Municipality of Hamilton - Wentworth, in 1991, granted a 3.5 acre parcel of land, located on Dartnell Road, Hamilton Mountain Industrial Park #2, for the purpose of constructing new Animal Control / Humane Society Headquarters. In exchange for the designated lands, the possession of lands presently occupied by the Hamilton SPCA on Parkdale Avenue will revert to the Region.

Functional Programming

The Hamilton SPCA has completed the Master Plan and Functional Program for the new shelter, which is being designed to service both Humane Society Functions and the Animal Control Services functions of the City of Hamilton. In the overall plan, approximately 65% of total space is devoted the City of Hamilton Animal Control requirements.

Architects

Tenders have been received from four Architectural firms (shortlisted from forty-three expressions of interest). A firm will be selected within the next several weeks.

Capital Campaign

Planning is well underway for a tentative May 1992 launch of the SPCA Capital Campaign. Efforts at this time are concentrated on the recruitment of Leadership. We are pleased to inform you that His Honour, Lincoln Alexander, has agreed to be "Honourary Patron" of the Society, and Paul Hanover has agreed to be "Honourary Campaign Chairman". We are delighted with the progress in this area and we are receiving enthusiastic response and support from the leaders in the Hamilton Community.

Capital Funding

The Hamilton SPCA estimates an ability to raise the sum of \$3.5 Million through it's efforts in the private sector. A "Building Fund" has been established. The Board of Directors of the SPCA has earmarked the sum of approximately \$500,000 to be devoted to the Fund as a kick-off amount.

The SPCA is requesting the City of Hamilton to participate in the funding of this project by matching our effort, with a ceiling amount of \$3.5 Million.

THE HAMILTON SOCIETY FOR THE
PREVENTION OF CRUELTY TO ANIMALS

... represents over 100 years of dedicated and humane service to animals

... handled more than 12,000 animals last year

... encourages maximum volunteer involvement in all of its activities

... works diligently with the community to develop a responsible outlook to pet ownership and animal care.

January, 1992

THE HAMILTON SPCA
A COMPASSIONATE FRIEND

Animals are an important part of our lives. The more fortunate are loved and become an integral part of our family. Their demands are few and their dedication is complete.

Even those exposed to unbelievable cruelty often respond to their abuse with affection and loyalty.

Lost or deserted animals are hungry and frightened. Unlike people, they are unable to communicate their needs. They require a compassionate friend who understands their needs, to provide a shelter, to re-unite them with their families or find them new homes, and to provide a little genuine caring.

The Hamilton SPCA is a compassionate friend to many thousands of animals each year.

The old SPCA facilities are dated and worn out.

The Hamilton SPCA must ask for your help to relocate and build acceptable facilities - facilities that will make it possible to continue to be a compassionate friend.

THE HAMILTON SPCA MEETING A COMMUNITY NEED

The only way to reduce animal abuse is to prevent the attitudes and misunderstandings that cause the abuse.

Dealing with strays and wildlife, therefore, is only one facet to the Hamilton SPCA's service to our community. The SPCA is involved, humanely, with every aspect of animal care and control.

Its responsibilities are widespread, and include:

- the authority to investigate animal abuse and, where necessary, to prosecute
- pet licensing
- 24-hour emergency medical care to domesticated pets and wildlife
- pet lost and found services
- the provision of quarantine facilities
- the operation of a regional pathological waste incinerator
- the inspection of pet shops, circuses, livestock auctions, etc.
- finding new homes for pets
- animal control, i.e. bite investigations, pickup of stray cats and dogs, delivery of wildlife back to its natural habitat, issuance of provincial offence notices and bylaw and criminal court responsibilities and appearances
- educational programs, such as obedience schools and pet care
- innovative community programs such as the successful "Pet Visitation" programs for hospital patients, senior citizens and many other groups are funded through non-governmental sources that are secured by the SPCA.

Officially we service the City of Hamilton, the Town of Ancaster and Dundas in animal control; however, our community development and education programs have extended to:

- | | | |
|--------------|---------------|----------------|
| • Burlington | • Dunnville | • Rockton |
| • Caledonia | • Hagersville | • Stoney Creek |
| • Cayuga | • Jarvis | • Waterdown |

Children's cartoons have done little to enhance the image of organizations like the SPCA and the people associated with them. Typically, they have been depicted as heartless "dog catchers". Generally, animal shelters are often referred to as "dog pounds" and are ominous places to be avoided and feared.

The current Hamilton SPCA shelter is seriously outdated and does little to mitigate these negative images.

A new facility would encourage on-site tours and promote increased understanding of the SPCA through expanded community educational programs.

A modern facility with a dedicated and pro-active group of volunteers and staff will open new doors of understanding.

Love of animals will be encouraged and adoptions will be increased.

Responsible attitudes towards pets and wildlife will be nurtured and will be more widely disseminated.

The cartoon image will be put in perspective and the SPCA will be recognized as a friend whose true mission is to "Prevent Cruelty to Animals".

THE HAMILTON SPCA
A TRADITION OF COMMUNITY SERVICE

The Hamilton SPCA represents over 100 years of caring service to animals, pet owners and the community.

Our mission has evolved from protecting working animals to an escalating response to the needs of family pets.

Most of our current shelter and business facilities date back to 1950. Maintaining minimum standards in the outdated building is almost impossible and it falls far short of meeting today's demands. In addition to being out of step with contemporary needs, volume exceeds our capacity by as much as 140% during peak periods.

These facilities are no longer adequate to handle more than 12,000 animals a year from Hamilton, Dundas and Ancaster.

We have been able to maintain our standards and operations this long only because of our caring staff and a core of committed volunteers. Their dedication to providing kind and humane assistance to hundreds of thousands of helpless animals over the years has helped make the Hamilton SPCA such a special place in spite of some deplorable physical conditions. By law, the SPCA is required to shelter animals for only 72 hours prior to euthanasia, excluding Sundays and holidays. The SPCA attempts to lengthen this stay; however, the restricted premises prohibit many extensions.

In spite of these appalling conditions, the spirit of the Hamilton SPCA has somehow managed to create new traditions. The Pet Therapy and Humane Education programs for people confined to hospitals and chronic-care residences and for young people's organizations such as Scouts and Guides have been particular success stories. The theme, "Love For All Ages", says it all. The success of our "Dog Walk" special event is being emulated by other societies in both Canada and the USA. The innovations in service that the Hamilton SPCA has implemented have thrust the Society into the front lines of humane-society programming in North America. The combination of creativity and a common-sense approach to animal issues has established for the Hamilton SPCA a high level of credibility among the surrounding population.

Current conditions, however, can no longer be overcome or even tolerated. Marginal standards for disease control and quarantine are not acceptable. Animal quarters, visiting areas, and storage and delivery facilities work against a healthy and efficient operation. Constant overcrowding hampers animal care.

The present location has been engulfed by heavy industry. The total absence of any greenspace within walking distance of the SPCA and the concentration of large-scale trucks discourage on-site programs and educational activities. Many school groups find more attractive venues. Families avoid it.

The mission of the Hamilton SPCA can no longer be accomplished at this location and within this outdated facility.

**THE HAMILTON SPCA
BUILDING FUND**

The Hamilton SPCA Building Fund is more than a balance sheet of Capital Costs and Funding Sources. It is a Building Fund because The Hamilton SPCA must act in adapting to the escalating demand for its services. It is an overdue response to provide the minimum new facilities required for a safer, healthier, more cost effective operation. The structure itself will be a solid investment which will service the community for many years. The building will incorporate cost-cutting mechanical features which will permit optimum energy efficiency and afford a minimum of operational maintenance and repair expenses. But, most of all, it is the only humane answer.

The proposed new facilities, located on the southeast end of Hamilton mountain, on Dartnall Road, also will encourage increased community involvement. They will permit the expansion of many successful programs such as school visitations and volunteer-driven shelter tours. Increased education and the joys of pet ownership will be valuable bonuses and should result in fewer instances of animal abuse later. Equally importantly, many more loving homes will be found for abandoned animals.

**THE HAMILTON SPCA
BUILDING FUND**

A. <u>COSTS</u>	
Building	\$4,885,000
Site Development	30,000
Furniture and Equipment	615,000
Fees: Architectural, Legal, Engineering, Fund Raising	953,000
Other	<u>517,000</u>
Total	<u>\$7,000,000</u>
B. <u>SOURCES OF FUNDING</u>	
City of Hamilton	\$3,500,000
Other Funding Sources	1,000,000
Public Campaign	<u>2,500,000</u>
Total	<u>\$7,000,000</u>

OPERATING FUNDS

- The Building Fund campaign is a one-time fund-raising drive to provide urgently needed new SPCA facilities.
- A total of \$350,000 is now raised annually to provide the required SPCA operating funds.
- It is essential that the Building Fund campaign is recognized as a special SPCA commitment so that contributions to our annual operating campaign are not reduced or discontinued.

THE HAMILTON SPCA
APPRECIATION AND ACKNOWLEDGEMENT OF SUPPORTERS

In addition to our ongoing policy of recognizing our supporters, all donors to the new SPCA Building Fund campaign will be gratefully acknowledged.

All donors of \$1,000 or more will be appropriately recognized, in perpetuity, in the main lobby of the new facility.

Donors of \$10,000 or more will also have the opportunity to designate their contribution towards a specific area within the new building. These designations will be appropriately recognized, in perpetuity.

The following is a sampling of these designation opportunities:

• New SPCA Building	to be negotiated
• Main Lobby	\$50,000
• Board Room	35,000
• Animal Lost & Found Area	35,000
• Community Services Area	25,000
• Emergency Services Area	25,000
• Pet Adoption Services Area	25,000
• Wildlife/Exotic/Livestock Area	25,000
• Animal Control Area	20,000
• Administration Area	15,000
• Staff Facilities	10,000

Pledge commitments can be paid over three years or more, and recognition opportunities are based on the total amount pledged.

This is a one-time opportunity for animal lovers to participate as partners with the Hamilton SPCA in building a much needed facility designed to provide humane care and shelter.

**THE HAMILTON SPCA
COMMUNITY SUPPORT**

The Hamilton SPCA, like your local hospital, social-service agency, cultural institution or college, is an essential part of the community, and like them, it needs your support to serve you better.

Unlike the multitude of necessary institutions and services responding to human needs, the SPCA is the only "family" that is available to animals in need.

The Hamilton SPCA is a necessary and desirable component of a compassionate society. Animals, therefore, cannot be a "throw away" commodity.

Your support will insure that basic humane treatment is provided. The Hamilton SPCA must raise a minimum of \$2,500,000 through a public appeal to complete the total financing package of \$7,000,000 for its urgently needed new facility. The balance of funds will be offset by the City of Hamilton and other funding sources.

We need your help as campaign volunteers and we need your financial contributions. All kinds of donations are welcome: 3-to-5 year pledges, cash gifts, endowments, deferred gifts; whatever you can give and however you can give.

Humane treatment for animals is everyone's responsibility. It is an expression and demonstration to your children of your understanding of helpless creatures.

For More Information, Contact:

**Mr. Ted Fauteux
Manager**

**The Hamilton SPCA Building Fund
658 Parkdale Ave. North
Hamilton, Ontario L8H 5Z4**

Tel: (416) 547-9707 Fax: (416) 547-1598

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1992 FEBRUARY 06

CONSENT AGENDA

A. ADOPTION OF THE MINUTES

Regular meeting 1992 January 23.

B. MANAGER OF PURCHASING

Replacement of One (1) 26,000 lb. Chassis with Hydraulic Aerial Device, Unit #9001, Fleet Services.

C. CITY CLERK

- (i) Flying Estonian Flag.
- (ii) Use of City Hall Meeting Rooms - Congress of Black Women of Canada
- (iii) Use of Second Floor - Black History Month Display.
- (iv) Flying of Lithuanian Flag.
- (v) Use of Council Chambers - Hamilton Aids Network for Dialogue and Support (HANDS).
- (vi) Taxi Advisory Committee Membership Composition.
- (vii) Proposed Incorporation of "Council on Suicide Prevention (Hamilton & District) Inc."

D. HAMILTON FIRE DEPARTMENT

Revenues - Hamilton Fire Department

E. ACTING TREASURER

- (i) Write-off of Outstanding Business Taxes.
- (ii) Financing 1992 Proposed Road and Sidewalk Capital Improvement Programme.

- (iii) Financing 1992 Servicing Expenditures Related to Subdivisions.
- (iv) Financing Alterations to Provide for Concessions at Mountain Skating Centre.
- (v) Financing Priority Parks Acquisitions - Various Locations

F. ACTING DIRECTOR OF PUBLIC WORKS

Public Works Department/Community Renewal Section, Application for Funding Availability Under the Job Development Grant Section 25 Programme

G. CITY SOLICITOR

Licence By-law Fines.

H. DIRECTOR OF PROPERTY

Office Improvements, Equipment and Furnishings.

I. FCM - CHINESE OPEN CITIES PROJECT

A

Thursday, 1992 January 23
9:30 o'clock a.m.
Room 233, City Hall

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairman
Alderman B. Charters, Vice-Chairman
Mayor R. M. Morrow
Alderman T. Cooke
Alderman D. Drury
Alderman G. Copps
Alderman D. Agostino
Alderman T. Anderson
Alderman V. Agro

Also present: Alderman D. Wilson
Alderman F. D'Amico
Alderman H. Merling
Alderman F. Eisenberger
J. Pavelka, Acting Chief Administrative Officer
R. Hammel, Acting Treasurer
J. Johnston, Commissioner, Human Resources
G. Macaluso, Manager Director/CEO, H.E.C.F.I.
D. Vyce, Director of Property
D. Carson, Administrative Assistant to the Mayor
S. Dembe, City Clerk's Department
R. Cowell, Human Resources Centre
C. Stableford, H.S.P.C.A.
C. Coutts, City Clerk's Department
J. Thompson, Secretary

1. DELEGATIONS

A. Alderman D. Wilson - H.S.P.C.A. Service Regarding Animal Traps

The Committee was in receipt of a letter dated 1991 September 26 from Alderman Dave Wilson requesting an opportunity to address the Finance and Administration Committee with respect to services provided by the H.S.P.C.A. regarding animal traps.

Cam Stableford, H.S.P.C.A. appeared before the Committee to address the Alderman's concerns respecting the two to three week waiting period when residents request animal traps. Mr. Stableford added that the population of all wild animals has quadrupled in the last five years and that the H.S.P.C.A. is looking at ways to meet the increased demand and that every effort will be made to improve the level of service by reducing the waiting period for animal traps.

B. Presentation of by Representatives of Tivoli Foundation for the Performing Arts - Loan Guarantee

Douglas Rodgers, Brian Morton and Tamara Ivanoshko of the Tivoli Foundation for the performing Arts appeared before the Committee to request a loan guarantee in the amount of \$100,000. to enable the Foundation to obtain a line of credit to continue operating from the Tivoli Theatre.

Roy Hammel, Acting Treasurer, advised Committee members that the City would have to set aside \$100,000. in the event that this money was required.

After considerable discussion the Committee approved the following recommendation:

That the request of the Tivoli Foundation for the Performing Arts for the City to provide a \$100,000. loan guarantee be tabled until its next meeting on 1992 February 06 and that the Acting Treasurer be requested to prepare a report for the Committee's consideration and recommendation.

2. CONSENT AGENDA

A. Adoption of Minutes

The Committee was in receipt of the minutes of the Finance and Administration Committee for its regular meeting held 1992 January 09 and its special meeting held 1992 January 14 and these minutes were adopted as circulated.

B. Mayor R. M. Morrow - Purchase Ad in Kinsmen Magazine for the Mayor's Message on Behalf of the City of Hamilton

The Committee was in receipt of a memorandum dated 1992 January 02 from Mayor Robert M. Morrow respecting the above-noted matter.

It was moved by Mayor Morrow and seconded by Alderman Agostino that the City of Hamilton purchase a half-page message of support advertisement in the Kinsmen Magazine at a cost of \$535.

It was then moved by Alderman Copps and seconded by Alderman Drury that the City of Hamilton purchase a third-page message of support advertisement at a cost of \$455. in the Kinsmen Magazine - motion lost.

The Committee then made the following recommendation that would be submitted to City Council for consideration:

- (a) That the request of the Association of KIN Clubs for the City of Hamilton to purchase an ad in the special issue of the national publication "KIN Magazine" at a cost of \$535. be approved.
- (b) That the cost of this ad be financed from the City Clerk's Advertising Account No. CH56302 12001.

C. City Clerk**(i) Civic Awards - St. Thomas More Knights Field Hockey Team (Girls)**

The Committee was in receipt of a report dated 1992 January 16 from the City Clerk respecting the above-noted matter. The Committee approved the following recommendation:

That Civic Gold Pins be awarded to the following members of the St. Thomas More Girls' Field Hockey Team for winning the Provincial High School Championship for 1991:

Anne-Marie Braid	Nikki McGowan
Rachelle Brohman	Cheryl Murray
Carm Cimarrusti	Carolyn Oddi
Lina Cimarrusti	Somer Oddi
Charlene Copps	Kristin Rankin
Melissa Dorey	Stephanie Richardson
Heather Harper	Judy Sahr
Geena Joseph	Erica Scime
Juanita Koo	Lisa Spadafora
Chantale LaChance	Selina Young
Rhonda Lewis	Lisa Zinkewich
Cathy Basciano (Co-Coach)	Audrey Beniach (Co-Coach)

(ii) Appointment to Court of Revision

The Committee was in receipt of a report dated 1992 January 20 from the City Clerk respecting the above-noted matter. The Committee approved the following recommendation:

That Mr. Malcolm C. Cline be nominated to the Regional Municipality of Hamilton-Wentworth for appointment to the Court of Revision as the City's representative.

D. ACTING TREASURER**(i) Aquila Place - Phase II - Additional Costs**

The Committee was in receipt of a report dated 1992 January 16 from the Acting Treasurer respecting the above-noted matter. The Committee approved the following recommendation:

That, as referred to in Section 1 of the SECOND Report of the Transport and Environment Committee, the City's Share of Services for the completion of Aquila Place - Phase 2 subdivision in the additional amount of \$1,300. be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.

(ii) Realty and Business Tax Pre-Levy Mill Rates for 1992

The Committee was in receipt of a report dated 1992 January 17 from the Acting Treasurer respecting the above-noted matter.

Alderman Agostino expressed some concern that this would not be implemented until 1993 and Alderman Ross advised the Committee that he will discuss the matter with staff to see if it could be implemented for the last six months of 1992.

The Committee then approved the following recommendation:

- (a) That the prelevy residential and non-residential mill rates for 1992 be established at figures slightly below 50% of the 1991 respective mill rates as follows:
 - (i) That a real property tax prelevy mill rate of 188 mills be established for 1992 to be billed in two instalments of 94.0 mills each, payable 1992 February 28 and March 31. This prelevy rate represents 49.989% of the 1991 residential mill rate.
 - (ii) That a business tax prelevy mill rate of 221 mills established for 1992 to be billed in one instalment, payable 1992 February 28. This prelevy rate represents 49.949% of the 1991 non-residential mill rate.
- (b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1991 charge, to be billed in two equal instalments, payable 1992 February 28 and March 31.

(iii) 1992 Capital Expenditure

The Committee was in receipt of a report dated 1992 January 20 from the Acting Treasurer respecting the above-noted matter. Recommendation (b) of the report was amended to change the reference from the Public Works Department to the Regional Engineering Department and Committee approved the following recommendation as amended:

- (a) That the 1992 Streetlight Construction Programme, being part of 1992 Road and Sidewalk Reconstruction Programme, be approved and the Public Works Department be authorized to spend up to \$203,000. and this amount be financed from the 1992 capital levy; and
- (b) That the 1992 Road and Sidewalk Reconstruction Programme be approved and the Regional Engineering Department be authorized to spend up to \$2,761,000. and this amount be financed from the 1992 Capital Levy.

E. MANAGER OF PURCHASING

(i) Supply and Delivery of Workers' Uniform Clothing During 1992 - Purchasing Stores

The Committee was in receipt of a report dated 1992 January 06 from the Manager of Purchasing respecting the above-noted matter. The Committee approved the following recommendation:

That a purchase order be issued to J.P. Hammill & Son Limited, Guelph, for the supply and delivery of Workers' Uniform Clothing to Purchasing Stores as and when required during 1992, being the lowest of eight tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following unit prices, and that this expenditure be financed through Stores Inventory Account CH56103 28999.

Grey Trousers	\$12.75 pair
Short Sleeve Grey Shirts	10.85 each
Long Sleeve Grey Shirts	11.85 each
Grey Overall Jackets	24.95 each
Grey Overall Pants	25.95 pair
Grey Crested Coveralls	24.75 pair

GST extra at 7%. PST extra at 8%.

(ii) Security Services for City Hall During 1992/1993/1994

The Committee was in receipt of a report dated 1992 January 07 from the Manager of Purchasing respecting the above-noted matter. The Committee approved the following recommendation:

That a purchase order be issued to Burns International Security Services Limited, Hamilton, at the unit rate of \$8.54 per hour for 1992, including all charges, with an option in favour of the City to renew for two additional one-year terms at \$8.96 per hour during 1993 and \$9.32 per hour during 1994, including all charges, to provide security services for City Hall, being the lowest of seven tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Security Account No. 31107 56333.

F. DIRECTOR OF CULTURE AND RECREATION

(i) Use of Council Chambers and Foyer for Heritage Day Ceremonies

The Committee was in receipt of a report dated 1992 January 16 from the Director of Culture and Recreation respecting the above-noted matter. The Committee approved the following recommendation:

- (a) That approval be given for the use of the Council Chambers for the purpose of holding the annual Heritage Day ceremony, Monday, February 17th from 11:00 a.m. to 2:00 p.m. and for use of the foyer for displays throughout Heritage Week (1992 February 17-21).
- (b) That the City Clerk be granted the authority to approve of a similar use in future years, providing it does not interfere with any other activity.

G. COMMISSIONER OF HUMAN RESOURCES**(i) Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton**

The Committee was in receipt of a report dated 1992 January 16 from the Commissioner of Human Resources respecting the above-noted matter. The Committee approved the following recommendation:

That the listing of Appointments To and Terminations From Permanent positions with the Corporation to 1992 January 13 attached to the report and marked as Appendix "A" be approved.

(ii) Salary Classification - General Foreman/Woman (Facilities)

The Committee was in receipt of a report dated 1992 January 07 from the Commissioner of Human Resources respecting the above-noted matter. The Committee approved the following recommendation:

That the following salary classification be approved:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
General Foreman/woman (Facilities) (formerly General Foreman/woman-Turf)	Manages and co-ordinates the operations and development of the Hamilton Civic Golf Courses, Lawn Bowling Clubs, outdoor sports facilities and ski hill facilities.	K	\$47,412.56 - \$55,811.08 per annum

H. ACTING DIRECTOR OF PUBLIC WORKS**(i) Additional Repairs to Fire Department Pumper #10, Vehicle #1663**

The Committee was in receipt of a report dated 1992 January 16 from the Acting Director of Public Works respecting the above-noted matter. The Committee approved the following recommendation:

- (a) That additional repairs to the Truck Frame, Pump House Structure, and Water Tank to Fire Department Pumper #10 in the additional amount of \$4,488.65 be approved.
- (b) That this expenditure be charged to Account No. CH5X522 00103 Reserve for Major Vehicle Repairs.
- (c) That the total repair cost of \$58,487.65 to Fire Department Pumper #10 (including \$53,999. for the original approved repair expenditure) be added to the original cost (being \$109,586.) of the Pumper #10 (Vehicle No. 1663) for depreciation purposes.

I. CORRESPONDENCE

(i) H. Title Group - Declaration of City as Designated Tourist Area

The Committee was in receipt of a report dated 1992 January 20 from the Secretary of the Finance and Administration Committee recommending that the request for the City of Hamilton to declare itself a designated tourist area be referred to the Regional Municipality of Hamilton-Wentworth.

Some discussion ensued with respect to this matter and the Committee approved the following recommendation:

- (a) That the correspondence dated 1991 December 18 from H. Title Group, 185 Evans Avenue, Toronto, recommending that the City of Hamilton declare itself a designated tourist area be referred to the Regional Municipality of Hamilton-Wentworth which is responsible for granting exemptions to remain open on Sundays under the Retail Business Holidays Act, and
- (b) That all members of Hamilton City Council be notified when this matter is considered by a Regional Committee.

3. KEEP HAMILTON CLEAN COMMITTEE

(i) Resolution Referred Back by City Council 1992 January 14 Respecting an Increase in the Citizen Composition

Patty Chitty, Chairperson of the Keep Hamilton Clean Committee, appeared before the Committee to express her concerns in increasing the citizen member complement on the Keep Hamilton Clean Committee. Given the workable size of the present committee, Miss Chitty requested that only four citizens be appointed to fill the four vacancies. After reconsidering this matter, the Committee approved the following recommendation:

- (a) That the Terms of Reference for the Keep Hamilton Clean Committee not be revised by increasing the citizen composition, and
- (b) That all applicants be interviewed for the four vacancies on the Keep Hamilton Clean Committee.

4. 1992-1996 CAPITAL BUDGET SUBMISSIONS

(i) Housing Department

The Committee was in receipt of a report dated 1992 January 16 from the General Manager, Housing Department respecting the above-noted matter. The Committee approved the following recommendation:

That the following projects be reviewed and considered for inclusion in the provisional 1992-1996 Capital Budget:

- (a) Landbanking - Municipal Non-Profit (Hamilton) Housing Corporation, and
- (b) Upgrade heating and electric systems - Hamilton Housing Corporation Limited.

The Committee wished to note that the \$5 million Capital Budget submission to establish a fund to allow for the acquisition of property suitable for municipal non-profit projects should be given a low priority and that the Treasurer should report the same when the final budget is prepared.

(ii) Hamilton Parking Authority

The Committee was in receipt of a letter dated 1992 January 20 from the General Manager, Parking Authority respecting the 1992-1996 Capital Budget submissions for the Parking Authority. The Committee approved the following recommendation:

That the 1992-1996 Capital Budget submissions as submitted by the General Manager, Parking Authority, be reviewed and considered for inclusion in the provisional 1992-1996 Capital Budget.

(iii) Grants Co-ordinator - 1992-1996 Capital Grant Provision

The Committee was in receipt of a report dated 1992 January 16 from the Grants Co-ordinator respecting the above-noted matter. The Committee approved the following recommendation:

That the Finance and Administration Committee forward the Capital Budget submissions for an annual \$100,000. Capital Grant provision for consideration as part of the 1992-1996 Capital Budget.

5. ACTING TREASURER

(i) Animal Control Agreement - H.S.P.C.A.

The Committee was in receipt of a report dated 1992 January 17 from the Acting Treasurer respecting the above-noted matter. The Committee approved the following recommendation:

- (a) That the City renew the Agreement with the H.S.P.C.A. to purchase animal control and related services in accordance with the provisions of the Agreement and the City's approved annual budget for the provision of those services, and
- (b) that the Mayor and City Clerk be authorized to execute the Agreement on behalf of the City of Hamilton.

Questions were then raised as to what other services besides those of the H.S.P.C.A. could be provided and Alderman Copps brought to the Committee's attention that We Care Kennels Inc. had, in the past, submitted a proposal to the City for consideration. The Secretary was directed to place this matter on a subsequent Finance and Administration Committee Agenda and invite representatives of the We Care Kennels Inc. to attend a future meeting.

Alderman Drury then advised Committee members that he has received a number of telephone enquiries respecting the City's policy on dogs that bite and the running at large of animals. Alderman Cooke advised Alderman Drury that in 1986 an Animal Control Committee was established to review such matters. After considerable discussion, the Committee made the following recommendation:

That the H.S.P.C.A. report back to the Finance and Administration Committee with recommendations for the City to seek amendments to existing legislation to improve or increase its power or authority to confiscate vicious animals that frighten or bite residents, and

In the event that the Animal Control Sub-Committee is revived, Alderman Don Drury agreed to act as Chairperson of this Committee.

6. **DIRECTOR OF PROPERTY**

(i) **Lease Renewal for Various City Properties Occupied by the Region - Market Survey of Rents of Downtown Office Buildings**

The Committee was in receipt of an information report dated 1992 January 20 from the Director of Property respecting the above-noted matter. This information report was received.

(ii) **Lease Renewal Report Tabled 1992 January 09 Containing Recommendations for Renewal**

The Committee was in receipt of a report dated 1991 November 08 from the Director of Property respecting the above-noted matter. The Committee approved the following recommendation:

- (a) That the City of Hamilton renew the Master Lease with The Regional Municipality of Hamilton-Wentworth for a period of three (3) years commencing 1991 December 1 and terminating 1994 November 30.
- (b) That the City of Hamilton renew the lease with the Hamilton-Wentworth Regional Health Unit at the Composite Building - Kenilworth Avenue North and 777 Upper Wentworth Street and the Social Services Department at 74 Hughson Street South for a period of three (3) years commencing 1991 December 1 and terminating 1994 November 30. The three (3) year term is only for the establishment of the rent. It is most likely that the Region will be vacating these buildings in 1992 or early 1993.
- (c) That the Mayor and City Clerk execute a lease document satisfactory to the City Solicitor.
- (d) That lease renewals for Item a) and b) above to be based on the following Rent Schedules:

RENT COMPUTATIONS

CITY HALL

PLANNING DEPARTMENT

	<u>TOTAL</u>
(i) December 1, 1991 to November 30, 1994 - 7th Floor - West Wing - 6,171 square feet 6,171 sq. ft. @ \$14.30 per sq. ft. per annum	\$ 88,245.30 per annum

ENGINEERING DEPARTMENT

(i) December 1, 1991 to November 30, 1994 - 7th Floor - Full Floor - 9,029 square feet - 2,858 sq. ft. @ \$14.30 per sq. ft. per annum	\$ 40,869.40 per annum
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Finance and Administration Committee**1992 January 23**

(ii)	6th Floor - Full Floor - 9,029 square feet 9,029 sq. ft. @ \$14.30 per sq. ft. per annum	\$129,114.70 per annum
(iii)	5th Floor - East Wing - 2,933 square feet 2,933 sq. ft. @ \$14.30 per sq. ft. per annum	\$ 41,941.90 per annum
(iv)	Basement Vault - Jointly by City and Region 800 sq. ft. 800 sq. ft. @ \$5.50 per sq. ft. per annum	\$ 4,400.00 <u>per annum</u>
Total Engineering Department		<u>\$216,326.00</u>
Total Rental Space in City Hall		<u>\$304,571.30</u>

KENILWORTH AVENUE NORTH COMPOSITE BUILDING

<u>REGIONAL POLICE DEPARTMENT</u>	<u>TOTAL</u>
(i) December 1, 1991 to November 30, 1994 First Floor - 4,393 square feet 4,393 sq. ft. @ \$7.70 per sq. ft. per annum	\$33,826.10 per annum
(ii) Second Floor - 3,062 square feet 3,062 sq. ft. @ \$7.15 sq. ft. per annum	\$21,893.30 per annum
(iii) Basement - 1,125 square feet 1,125 sq. ft. @ \$2.25 per sq. ft. per annum	\$ 2,531.25 per annum
(iv) Garages - 1,239 square feet 1,239 sq. ft. @ \$1.65 per sq. ft. per annum	\$ 2,044.35 <u>per annum</u>
Total Regional Police Department	<u>\$60,295.00</u>

**CITY LEASE TO HAMILTON-WENTWORTH REGIONAL
HEALTH UNIT AND SOCIAL SERVICES**

74 Hughson Street South
15 Hunter Street East
Kenilworth Avenue North Composite Building
Upper Wentworth Composite Building - 777 Upper Wentworth Street

<u>HEALTH DEPARTMENT</u>	<u>TOTAL</u>
(i) December 1, 1991 to November 30, 1994 <u>Kenilworth Avenue North - First Floor</u> 1,484 sq. ft. @ \$7.15 per sq. ft. per annum	\$ 10,610.60 per annum
(ii) <u>Upper Wentworth Composite Building</u> 6,200 sq. ft. @ \$8.80 per sq. ft. per annum	\$ 54,560.00 per annum
TOTAL	<u>\$ 65,170.60</u>

SOCIAL SERVICES

(i) <u>74 Hughson Street South - First Floor</u> 5,032.75 sq. ft. @ \$12.65 per sq. ft. per annum	\$ 63,664.28 per annum
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Finance and Administration Committee

1992 January 23

(ii)	<u>15 Hunter Street East - Second & Third Floor</u> 13,622 sq. ft. @ \$10.45 per sq. ft. per annum	\$142,349.90 per annum
	TOTAL	<u>\$206,014.18</u>

It is expected the Region may vacate their space at Hughson Street, Kenilworth Avenue and Upper Wentworth Street locations in 1992 or early 1993.

In addition to rent paid by the Region and the Board of Health, they are both responsible for their proportionate share of the increase in operating costs over the Base Year of 1990. All amounts payable shall be deemed to be additional rent.

7. GRANTS CO-ORDINATOR

(i) Referral from Parks and Recreation Committee to Transfer Grant Funds to Annual Recreational Special Events/Programs

The Committee was in receipt of a report dated 1992 January 16 from the Grants Co-ordinator respecting the above-noted matter. Discussion ensued on the possible implications of the Nevada Lottery scheme on grant applications and the Committee approved the following recommendations:

- (a) That the recommendations of the Grants co-ordinator in his report of 1992 January 16 be tabled, and
- (b) That a special committee consisting of Alderman Don Drury, Alderman Fred Eisenberger and Alderman Bob Charters be established to review the possibility of implementing a "grandfather clause" policy for grants to all organizations.

8. DIRECTOR OF CULTURE AND RECREATION

(i) Urban Design Study - City Hall Grounds

The Committee was in receipt of a report dated 1992 January 16 from the Director of Culture and Recreation respecting the above-noted matter. The Committee approved the following recommendation:

- (a) That approval be given to retain the firm of A.J. Diamond, Donald Schmitt and Company as consultant for the preparation of the Urban Design Study, City Hall Grounds in accordance with their study proposal dated 1992 January 3, copies of which have been previously distributed to all members of City Council under separate cover.
- (b) That the cost of the study be collaboratively financed within existing approved budgets of three participating departments, namely Culture and Recreation, Public Works and Property Department at a total cost not to exceed \$15,000.

9. ALDERMAN D. DRURY

(i) Temporary Business Tax

The Committee was in receipt of a letter dated 1992 January 14 from Alderman Don Drury respecting the above-noted matter.

Alderman Drury expressed some concerns that the Hamilton Convention Centre has rented out their facility to wholesale/retail business enterprises without the City recouping any business tax from this practice. Steve Dembe, Manager, Licensing Division, City Clerk's Department, clarified that business operators who rent the Convention Centre facilities for short periods of time are required to obtain a transient traders licence in the amount of \$500. which covers a three-month period in lieu of paying a business tax.

Gabe Macaluso, Managing Director and C.E.O. of H.E.C.F.I. was in attendance and explained to the Committee that the H.E.C.F.I. Board of Directors have requested staff to review this matter and report back on possible ways and means of addressing this issue.

After considerable discussion, the Committee approved the following recommendation:

That the Acting Treasurer, in consultation with Regional Assessment Officials and Mr. Gabe Macaluso, prepare a report on the possibility of implementing a temporary business tax for transient traders over and above the present \$500. licence fee which is charged in lieu of a business tax that would adequately reflect what is being paid by businesses in the community.

10. APPOINTMENT OF SELECTION COMMITTEE TO CONDUCT INTERVIEWS FOR CITIZEN APPOINTMENTS TO VARIOUS COMMITTEES AND BOARDS

The Committee was advised that a Selection Committee should be established to interview all those citizens who applied for membership on the various committees and boards that report through the Finance and Administration Committee and the Committee approved the following recommendation:

That a selection committee consisting of Alderman Don Ross, Alderman Bob Charters, and Alderman Dominic Agostino be established to interview all applicants who applied for citizen appointments to the various committees and boards which fall under the jurisdiction of the Finance and Administration Committee.

11. COMMISSIONER OF HUMAN RESOURCES

(i) Terms of Employment - School Crossing Guards (Deferred from last meeting pending further information on sick leave provisions).

The Committee was in receipt of a report dated 1991 December 27 from the Commissioner of Human Resources respecting the above-noted matter. After considerable discussion the Committee requested a further review of issues raised concerning the sick leave and vacation benefits that will be maintained during the interim transitional period.

The Committee approved the following recommendation:

That this matter be tabled to the next meeting and that the Commissioner of Human Resources be requested to report back with options outlining and explaining the benefits.

12. PERFORMANCE EXCELLENCE PROGRAM

The Committee was in receipt of a report dated 1992 January 14 from Mr. J. Pavelka, Acting Chief Administrative Officer for the City and Mr. W. M. Carson, Chief Administrative Officer for the Region, respecting the Performance Excellence Program.

John Johnston, Commissioner of Human Resources and Raffaella Cowell, Human Resources Centre, appeared before the Committee and made a presentation with respect to the Performance Excellence Program highlighting the areas of attendance, corporate health, occupational health and safety, and employee recognition.

The Committee approved the following recommendation:

- (a) That the corporate policies for the Performance Excellence Programme outlined in Appendix "A" of the Joint Report of Mr. J. Pavelka, City's Acting Chief Administrative Officer and Mr. W.M. Carson, Region's Chief Administrative Officer, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be approved.
- (b) That the Performance Excellence Programme Status Report, as outlined in Appendix "B" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.
- (c) That the procedures defining implementation of policies, as outlined in Appendix "C" of the Joint Report of the two Chief Administrative Officers, dated 1992 January 14, copies of which have been previously distributed to all members of City Council under separate cover, be received as information.

Alderman Copps wished to be recorded as opposed to this motion.

13. ADDED REPORT - C.A.O.'s POSITION

Alderman Ross brought to the Committee's attention that Mr. Pavelka has been appointed as Acting Chief Administrative Officer for a two-month period and that this appointment will expire at the end of 1992 February. The Committee was advised by the Human Resources Centre that it would take approximately six to eight months to fill this position. General discussion then ensued on whether or not this position would be filled and if so, for how long.

After considerable discussion, the Committee approved the following recommendation:

- (a) That City Council request the participation with Regional Council to undertake a review of the rationalization of a single tier bureaucracy and that this process be directed by a Special Steering Committee comprised of the Mayor, Regional Chairman, Chairman of the City's Finance and Administration Committee, Chairman of the Region's Administration Committee and the two Chief Administrative Officers, to be chaired by the Chairman of the City's Finance and Administration Committee and report back on what necessary outside resources would be necessary to complete the study.

- (b) That the Commissioner of Human Resources be authorized and directed to take the necessary steps to post and advertise the position of Chief Administrative Officer for the City on a contractual basis consistent with the Selection Procedure adopted by City Council 1982 January 26 and that the terms of the employment be for a period of three (3) years.

14. IN CAMERA AGENDA

The Committee then adjourned to meet In Camera to address a number of private and confidential items, and then adjourned to open session and made the following recommendations:

AA. City Solicitor - Settlement of Claim

(i) City of Hamilton - ats - Harrington/Meloche

The Committee was in receipt of a Private and Confidential report dated 1992 January 15 from the City Solicitor respecting the above-noted matter. The Committee approved the following recommendation:

That the City of Hamilton serve an Offer to Settle in Ontario Court (General Division) Action No. 3511A/87 on the following terms:

- (a) That the Third Party Action and any cross-claims by and against The Corporation of the City of Hamilton be dismissed without costs.
- (b) That this Offer remain open for acceptance until withdrawn or until the commencement of trial whichever first occurs.

(ii) City of Hamilton - ats - Gould

The Committee was in receipt of a Private and Confidential report dated 1992 January 14 from the City Solicitor respecting the above-noted matter. The Committee approved the following recommendation:

- (a) That the City of Hamilton Offer to Settle Ontario Court (General Division) Action No. 19757/90 on the following terms:
 - (i) That the City pay to the Plaintiff, Trudi Jeanette Gould, the sum of \$2,500. inclusive of all damages, interest and costs.
 - (ii) That the action and all cross-claims as against The Corporation of the City of Hamilton be dismissed without costs.
 - (iii) That this Offer remain open for acceptance until the commencement of trial until withdrawn whichever first occurs.

- (b) That the Plaintiff Trudi Gould, be required to execute a Full and Final Release in a form satisfactory to the City's Law Department.

(iii) City of Hamilton - ats - Hamill

The Committee was in receipt of a Private and Confidential report dated 1992 January 14 from the City Solicitor respecting the above-noted matter. The Committee approved the following recommendation:

- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 20081/90 by the payment to the Plaintiff, John Hamill, of \$1,500. inclusive of all damages, interest and costs.
- (b) That Ontario Court (General Division) Action No. 20081/90 be dismissed without costs.
- (c) That the Plaintiff, John Hamill, be required to sign a Full and Final Release in a form satisfactory to the City Law Department.

(iv) City of Hamilton - ats - Dowhaniuk

The Committee was in receipt of a Private and Confidential report dated 1992 January 14 from the City Solicitor respecting the above-noted matter. The Committee approved the following recommendation:

- (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 19469/90 by payment to the Plaintiff, Laura Dowhaniuk of:
 - (i) \$12,000. inclusive of all her claim for damages, interest and costs; and
 - (ii) 50% of the applicable O.H.I.P. accounts once ascertained.
- (b) That Ontario Court (General Division) Action 19469/90 be dismissed without costs.
- (c) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City's Law Department.

BB. COMMISSIONER OF HUMAN RESOURCES

(i) Memorandum of Agreement - IUOE Local 772

The Committee was in receipt of a Private and Confidential report dated 1992 January 13 from the Commissioner of Human Resources respecting the above-noted matter. The Committee approved the following recommendation:

That the Memorandum of Agreement between the Corporation of The City of Hamilton and I.U.O.E. Local 772 dated 1991 November 25, be approved and implemented in accordance with the terms therein.

CC. DIRECTOR OF PROPERTY

The Committee was in receipt of an added Private and Confidential report dated 1992 January 20 from the Director of Property respecting Security at City Hall. The Committee approved the following recommendation:

- (a) That the Director of Property be authorized and directed to implement Recommendation #7 as outlined in his Private and Confidential Report dated 1992 January 20, copies of which have been previously distributed to all members of City Council under separate cover, at an estimated cost of \$3,700. .
- (b) That this expenditure be financed through the Capital Budget for the purpose of improving security at City Hall.
- (c) That the services of the additional security guard presently stationed on the second floor of City Hall be discontinued once Recommendation #7 has been implemented.

There being no further business, the meeting then adjourned.

TAKEN AS READ AND APPROVED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Charlene Coutts, Legislative Assistant
1992 January 23

B

TAA

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 21

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: REPLACEMENT OF ONE (1) 26,000 LB. CHASSIS
WITH HYDRAULIC AERIAL DEVICE, UNIT #9001,
FLEET SERVICES

RECOMMENDATION:

That a purchase order be issued to King Equipment, Woodstock, in the amount of \$132,486.04, for the replacement of one (1) 26,000 lb. chassis with aerial device, Unit #9001, for Fleet Services, being the lowest acceptable of nine (9) tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.



T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND: Tender Analysis

Vermeer Sales, Mississauga	\$124,639.30 *
Wajax Industries, Mississauga	125,030.30 **
Amador Hydraulic, Brampton	127,250.03 *
Rocwin Sales, Mississauga	127,330.30 *
King Equipment, Woodstock	131,370.25 *
King Equipment	132,486.04
Hamilton Mack, Burlington	133,324.10
King Equipment	134,617.85
Carter GM Trucks, Hamilton	134,942.44

* Units bid do not meet specifications. ** Unit bid is unacceptable. Unit being replaced will be disposed of at auction.

CITY OF HAMILTON
- RECOMMENDATION -

C (i)

DATE: 1992 January 28

JAN 28 1992

REPORT TO: John D. Thompson, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Flying Estonian Flag

RECOMMENDATION:

1. That permission be granted to the Estonian Society of Hamilton to fly the Estonian flag at City Hall from 1992 February 19 - 25 in honour of the 74th Anniversary of the Independence of Estonia.
2. That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

cc: Mayor's Office

Rob Swan, Manager, Property Maintenance Division

File

CITY OF HAMILTON
- RECOMMENDATION -

C (ii)

DATE: 1992 January 28

JAN 28 1992

REPORT TO: John D. Thompson, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Use of City Hall Meeting Rooms -
Congress of Black Women of Canada

RECOMMENDATION:

- (a) That permission be granted to the Congress of Black Women of Canada in association with the Ontario Ministry of Citizenship, Policy Services Branch, to use City Hall meeting rooms 264, 219 and 233 on Saturday, March 07, 1992 from 8:00 a.m. - 5:00 p.m. for workshops entitled "Wife Assault Prevention Training Programmes".



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in account CH55222-10034 - Use of City Hall Facilities and Equipment by Outside Groups, for staff overtime associated with this event in the approximate amount of \$266.90.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Debbie Geroux, City Clerk's Office
Information Desk
File

CITY OF HAMILTON
- RECOMMENDATION -

C (iii)

DATE: 1992 January 30 JAN 30 1992

REPORT TO: John D. Thompson, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Use of Second Floor -
Black History Month Display

RECOMMENDATION:

- (a) That permission be granted to the Black History Committee to use the east and west foyer of the City Hall second floor from 1992 February 10 - 14 for a Black History Display.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

cc: Mayor's Office

Rob Swan, Manager, Property Maintenance Division

Debbie Geroux, City Clerk's Office

Information Desk

File

CITY OF HAMILTON
- RECOMMENDATION -

C (iv)

DATE: 1992 January 30 JAN 30 1992
REPORT TO: John D. Thompson, Secretary
Finance and Administration Committee
FROM: J.J. Schatz
City Clerk
SUBJECT: Flying of Lithuanian Flag

RECOMMENDATION:

- (a) That permission be granted to the Hamilton Lithuanian Canadian Community to fly the Lithuanian flag at City Hall on Sunday, 1992 February 16 in commemoration of the anniversary of the original Declaration of Independence of February 16, 1918 in Lithuania.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
File

C (v)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 30 JAN 30 1992

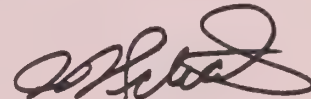
REPORT TO: John D. Thompson, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Use of Council Chambers -
Hamilton Aids Network for Dialogue and Support (HANDS)

RECOMMENDATION:

- (a) That permission be granted to the Hamilton Aids Network for Dialogue and Support (HANDS) to use the Council Chambers on Friday and Saturday 1992 April 11 & 12 to host the Ontario Aids Network Quarterly Conference.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH55222-10034 - Use of City Facilities and Equipment by Outside Groups for staff overtime associated with this event in the approximate amount of \$420.00

BACKGROUND:

This will be the first time that Hamilton has hosted the Ontario Aids Network Quarterly Conference, the previous Conference being held in the Council Chamber at Toronto City Hall. It is expected that approximately 25 delegates will attend.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Debbie Geroux, City Clerk's Office
Information Desk
File

CITY OF HAMILTON
- RECOMMENDATION -

C (vi)

DATE: 1992 January 23 JAN 23 1992
REPORT TO: J. D. Thompson, Secretary
Finance and Administration Committee
FROM: S. M. Glover, Secretary
Taxi Advisory Committee
SUBJECT: Taxi Advisory Committee Membership Composition

RECOMMENDATION:

That the membership composition of the Taxi Advisory Committee be amended by deleting the following three categories:

Taxi Owners Organization representative (1)
Cab Driver/Lessee (1)
Taxi Owner representative (1)

and replacing them with:

Taxi Industry Professionals (3)
(who equitably represent the Taxi Industry in Hamilton, and may be drivers, lessees, owners or representatives of the taxi organizations).

Stella Glover

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

Finance and Administration Committee

Re: Taxi Advisory Committee Membership Composition

... 2

BACKGROUND:

The present composition of the Taxi Advisory Committee includes a seat for a representative of the Taxi Owners Organization. Recently another organization has been created consisting of owners, drivers, lessees and has requested representation on the Taxi Advisory Committee.

The Taxi Advisory Committee considered this request at their meeting of 1992 January 21 and, in order to provide equitable representation on the Committee, made the foregoing recommendation.

If adopted, the composition of the Taxi Advisory Committee will be as follows:

Council representatives	(2)
Taxi brokerage representatives	(3)
Taxi industry professionals	(3)
Citizen members	(4)

cc: Alderman D. Drury, Chairman, Taxi Advisory Committee
S. Dembe, Licence Division Manager
File

C (vii)

CITY OF HAMILTON
- RECOMMENDATION -


DATE: 1992 January 30

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Proposed Incorporation of "Council on Suicide
Prevention (Hamilton & District) Inc.

RECOMMENDATION: That City Council consent to the use of the name
"Hamilton" in the proposed incorporation of "Council on
Suicide Prevention (Hamilton & District) Inc."



J.J. Schatz, City Clerk

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND: Attached is a copy of a letter dated 1991 December 24 from
Paul D. V. Cannon of the law firm of Inch, Esterbrook & Shaker
explaining the reason for requesting permission to use the name
"Hamilton."

c.c. Mr. Wayne Elgie, Treasurer
Council on Suicide Prevention, Hamilton and District
135 Rebecca Street, Ste. 1A
HAMILTON, Ontario L8R 1B9

RECEIVED

DEC 31 1991

INCH, EASTERBROOK & SHAKER
BARRISTERS & SOLICITORS

DEC 13 1992

R. F. INCH, Q.C. (1923-1977) J. F. EASTERBROOK, Q.C. (1939-1977)
E. A. SHAKER, Q.C. R. K. BROADFOOT
P. D. V. CANNON B. L. PAUL
S. K. KENNEY M. R. KUEGLE
K. B. KIERANS F. G. D'ALESSANDRO
R. S. PRATT J. F. HAMMOND
D. G. BORWICK

COUNSEL:
HON. ROBERT D. G. STANBURY, P.C., Q.C.

CITY CLERKS

TELEPHONE (416) 525-4481
FAX (416) 525-0031

COMMERCE PLACE
1 KING STREET WEST
SUITE 1500

HAMILTON, ONTARIO

CANADA
L8P 4X8

DISTRIBUTED FOR INFORMATION
TO MEMBERS OF CITY COUNCIL

December 24, 1991

The Corporation of the
City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario

DATE SIGNATURE

Attention: Mayor Robert Morrow

✓ To Clerk
for committee

Dear Sirs:

Re: Council on Suicide Prevention
(Hamilton & District) Inc.- Incorporation

We are in the process of incorporating a not-for-profit Part III Corporations Act (Ontario) corporation to be known as "Council on Suicide Prevention (Hamilton & District) Inc.".

We enclose for your reference a copy of the Application for Incorporation which is being made by certain members of the existing unincorporated association known as "Council on Suicide Prevention - Hamilton and District" with the knowledge and consent of the members thereof. In fact, the applicants comprise the Board of Directors of "Council on Suicide Prevention - Hamilton and District" for its year 1991/1992.

As part of the application, the consent of the City of Hamilton thereto has been requested by the Ministry of Consumer and Commercial Relations (Ontario)..

On behalf of the applicants, we respectfully request that the City provide the requisite consent so that we can include same as part of the Application.

We look forward to receipt of your consent in the City's usual form.

If you do, however, have any questions respecting this matter, please do not hesitate to contact either the writer or the Treasurer of "Council on Suicide Prevention - Hamilton and


District", Mr. Wayne Elgie, at the offices of the Council:

Suite 1A
135 Rebecca Street
Hamilton, Ontario
L8R 1B9

Telephone: 577-9118.

Yours very truly,

INCH, EASTERBROOK & SHAKER



Paul D. V. Cannon

PDVC:eg
Encl.

cc. Mr. W. Elgie

D

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 23

JAN 24 1992

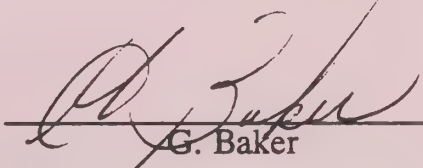
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Chief G. Baker

SUBJECT: Revenues - Hamilton Fire Department

RECOMMENDATION:

- a) That the attached Hamilton Fire Department - Fire Prevention Service Fee Schedule for 1992 be approved.
- b) That this fee schedule be increased annually for the rate of inflation.


G. Baker

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approval of this fee schedule will provide for increases recommended by Treasury for the 1992 Current Budget process. Inflationary increases are provided for, where required, in future years.

BACKGROUND:

The revenue source for Items 2 and 3 on the attached list is dependent on the local real estate market. Written confirmation as to whether or not there are any outstanding orders against property is the prime income generator on the attached list.

The fees being recommended for inspections of property, per Item 3 d) - other occupancies greater than four stories and specialized occupancies, ensure that actual costs incurred can be recovered.

HAMILTON FIRE DEPARTMENT

FIRE PREVENTION SERVICE FEE SCHEDULE

		<u>PRESENT</u>	<u>PROPOSED</u>	<u>INCREASE</u>
1)	Copies of fire response reports	\$15.00	\$16.00	6.67%
	G.S.T.	1.05	1.12	
		<u>\$16.05</u>	<u>\$17.12</u>	
2)	Written confirmation as to whether or not there are any outstanding orders against property (G.S.T. Not applicable)	<u>\$25.00</u>	<u>\$26.00</u>	4.00%
3)	Inspection of property in relation to a proposed purchase or for licence purposes other than municipal licences			
a)	Private home day care facilities	\$30.00	\$31.50	5.00%
	G.S.T.	2.10	2.21	
		<u>\$32.10</u>	<u>\$33.71</u>	
b)	1 and 2 family dwelling	\$30.00	\$31.50	5.00%
	G.S.T.	2.10	2.21	
		<u>\$32.10</u>	<u>\$33.71</u>	
c)	other occupancies to and including four stories above grade including L.L.B.O. licence requests	\$60.00	\$63.00	5.00%
		4.20	4.41	
	G.S.T.	<u>\$64.20</u>	<u>\$67.41</u>	
d)	other occupancies greater than four stories and specialized occupancies ie. shopping malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved	\$100.00 – \$300.00	\$100.00 – \$500.00	66.67%
	G.S.T.	7.00 21.00	7.00 35.00	Top End
		<u>\$107.00 – \$321.00</u>	<u>\$107.00 – \$535.00</u>	Only

All of the above fees stated in 3 c) and d) DO NOT include the testing of life support systems which are the responsibility of the owner in accordance with the Ontario Fire Code.

E (i)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 31


REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. I. R. Hammel
Acting Treasurer

SUBJECT: WRITE-OFF OF OUTSTANDING BUSINESS TAXES

RECOMMENDATION:

That outstanding business taxes in the amount of \$196,019.80, be written-off in accordance with Section 495 of The Municipal Act, R.S.O., 1980, and charged to Account 53401-24106, Tax Write-Offs.



I. R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation

BACKGROUND:

Attached is a schedule outlining business tax accounts which are, in my opinion, uncollectible.

This schedule is summarized as follows

.....2

City of Hamilton
Treasury

Amount
Recommended to
be Written-Off

Schedule of Business Taxes

Category A - Accounts improperly assessed or out of business where deadline for appeal has expired	\$ 1,325.93
Category B - Accounts assigned to the Collection Agency	179,716.64
Category C - Advised by Trustee - Bankruptcy/ In Receivership no funds available for distribution	<u>\$ 14,977.23</u>
TOTAL	<u><u>\$196,019.80</u></u>

SUMMARY	<u>1991</u>	<u>1990</u>
Category A -	6,432.37	10,260.23
Category B -	374,724.49	319,171.07
Category C -	<u>62,472.51</u>	<u>2,665.31</u>
TOTAL	<u><u>443,629.67</u></u>	<u><u>332,096.31</u></u>

1922 January 31
TAB/ce

City of Hamilton
Treasury

CATEGORY "A" - ACCOUNTS IMPROPERLY ASSESSED
OR OUT OF BUSINESS WHERE
DEADLINE FOR APPEAL HAS EXPIRED

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
1	04 02860 1500 0060 911 1	I.G. Tax Service Inc. 1083 Barton St. E.	239.19	1,086.74	.00	.00	1,325.93	Account Double Billed
TOTAL CATEGORY "A"			239.19	1,086.74	.00	.00	1,325.93	

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
THE COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
2	01 00130 0430 0020 901 2	691888 Ontario Ltd. Gliders Restaurant 170 Main St. West	49.00	156.55	.00	.00	205.55	CORPORATION OUT OF BUSINESS NO ASSETS
3	01 00130 0430 0340 891 2	Laser Tech Stop Smoking Centres Inc. 2525 Roseville Garden	41.00	163.71	.00	.00	204.71	CORPORATION OUT OF BUSINESS NO ASSETS
4	01 00150 0130 0041 892 2	Oberding, Darcy Forest Glen Florist 1960 Main St. West	18.80	75.27	.00	.00	94.07	OUT OF BUSINESS UNABLE TO LOCATE OWNER
5	01 00420 5220 0020 861 6	Petrie, Margaret Petrie, John Summers Fish & Chips	61.60	61.84	.00	.00	123.44	OUT OF BUSINESS UNABLE TO LOCATE OWNER
6	01 00420 8960 0100 901 2	Phoenix Pizza Inc. Domino's Pizza 3600 BILLINGS CT.	10.44	29.10	.00	.00	39.44	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty Interest (4)	Prior Years Arrears (5)	Current Years Penalty Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
6	05 04520 0180 0050 901 1	Phoenix Pizza Inc. Domino's Pizza 3600 Billings Ct.	85.93	528.58	.00	.00	614.51	CORPORATION OUT OF BUSINESS NO ASSETS
6	05 04520 0180 0050 901 2	Phoenix Pizza Inc. Domino's Pizza 3600 Billings Ct.	6.67	18.21	.00	.00	24.88	CORPORATION OUT OF BUSINESS NO ASSETS
6	05 04520 0180 0051 901 1	Phoenix Pizza Inc. Domino's Pizza 3600 Billings Ct.	34.84	214.58	.00	.00	249.42	CORPORATION OUT OF BUSINESS NO ASSETS
6	05 04520 0180 0051 901 2	Phoenix Pizza Inc. Domino's Pizza 3600 Billings Ct.	2.61	6.93	.00	.00	9.54	CORPORATION OUT OF BUSINESS NO ASSETS
7	01 00430 5530 0020 911 2	Zoo's Original Pasta House 109 Emerson St.	45.12	451.14	.00	.00	496.26	CORPORATION OUT OF BUSINESS NO ASSETS
7	01 00430 5530 0020 911 3	Zoo's Original Pasta House 109 Emerson St.	4.80	12.72	.00	.00	17.52	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
18	02 01240 2870 0020 911 1	Starry Eyes Antiques Co. Ltd. 132 James St. North	1.96	11.08	.00	.00	13.04	CORPORATION OUT OF BUSINESS NO ASSETS
18	02 01240 2870 0020 911 1	Starry Eyes Antiques 95 Co. Ltd. 132 James St. North	37.20	148.44	.00	.00	185.64	CORPORATION OUT OF BUSINESS NO ASSETS
19	02 01310 6180 0020 911 1	S & D Financial Inc. 225 Main St. West	280.20	1,120.64	.00	.00	1,400.84	CORPORATION OUT OF BUSINESS NO ASSETS
20	02 01310 6750 0672 901 1	PDQ Personnel Ltd. 25 Main St. West	50.00	200.00	.00	.00	250.00	CORPORATION OUT OF BUSINESS NO ASSETS
21	02 01325 1060 0640 901 1	503708 Ontario Limited Hair Salon 1 Duke St. Rm. 405	10.80	42.92	.00	.00	53.72	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
21	02 01325 1060 0640 901 4	503708 Ontario Limited Hair Salon 1 Duke St. Rm. 405	64.41	92.13	.00	.00	156.54	CORPORATION OUT OF BUSINESS NO ASSETS
22	02 01445 9480 0060 891 3	Owen, Brian Advertising & Marketing P. O. Box 1024, Stn. A	678.54	1,262.06	.00	.00	1,940.60	OUT OF BUSINESS UNABLE TO LOCATE OWNER
23	02 01510 0220 0120 901 2	Kaine, Alan Professional Polygraph Services P.O. Box 1376, Stn. A	28.06	97.36	.00	.00	125.42	OUT OF BUSINESS UNABLE TO LOCATE OWNER
24	02 01525 1090 0020 901 2	Rowling, Daniel Coconut Grove 161 King St. East	352.64	972.42	.00	.00	1,325.06	OUT OF BUSINESS UNABLE TO LOCATE OWNER
25	02 01530 0880 0620 911 1	Powerhouse Ltd. 42 James St. N., Rm. 208	31.55	118.04	.00	.00	149.59	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
25	02 01530 0880 0620 911 2	Powerhouse Ltd. 42 James St. N., Rm. 208	18.72	57.45	.00	.00	76.17	CORPORATION OUT OF BUSINESS NO ASSETS
26	02 01540 3720 0020 911 1	Rattray, Joyce Colonial Tavern 55 Mary St.	1,129.95	4,238.46	.00	.00	5,368.41	OUT OF BUSINESS UNABLE TO LOCATE OWNER
26	02 01540 3720 0020 911 2	Rattray, Joyce Colonial Tavern 55 Mary St.	1,223.56	3,765.00	.00	.00	4,988.56	OUT OF BUSINESS UNABLE TO LOCATE OWNER
27	02 01545 0850 0080 911 1	Kozarow, Lee Saturn Productions 135 Rebecca St.	527.45	1,978.67	.00	.00	2,506.12	OUT OF BUSINESS UNABLE TO LOCATE OWNER
27	02 01545 0850 0080 911 2	Kozarow, Lee Saturn Productions 135 Rebecca St.	368.75	1,179.79	.00	.00	1,548.54	OUT OF BUSINESS UNABLE TO LOCATE OWNER

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number	Business Serial No.	Name and Business Address	Prior Years Penalty & Interest	Prior Years Arrears	Current Years Penalty & Interest	Current Years Arrears	Taxes Outstanding	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
28	02 01565 7950 0020 891 3	Hodge, Bertram Universal Refrig. 105 Barton St. E.	116.71	205.94	.00	.00	322.65	OUT OF BUSINESS UNABLE TO LOCATE OWNER
29	02 01810 3940 0001 901 1	Takeda Deadman Enterprises Inc. Strictly Business 287 King St. East	4.88	48.84	.00	.00	53.72	TOO SMALL FOR LITIGATION
30	02 01810 5030 0020 901 1	Hamilton Squash 1 Jarvis St.	1,567.52	15,675.30	.00	.00	17,242.82	CORPORATION OUT OF BUSINESS NO ASSETS
31	02 01920 9060 0420 911 1	Usarco Ltd. 363 Wellington St. N.	55.60	555.83	.00	.00	611.43	CORPORATION OUT OF BUSINESS NO ASSETS
31	02 01920 9060 0460 911 1	Usarco Ltd. 363 Wellington St. N.	27.12	271.44	.00	.00	298.56	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
32	03 02030 5830 0310 902 0	Duguay Construction 370 Main St. E., Rm.107	6.12	40.85	.00	.00	46.97	CORPORATION OUT OF BUSINESS NO ASSETS
33	03 02040 0010 0010 902 1	Tuite Construction 2065 Headon Rd. R. R. #2	16.80	168.13	.00	.00	184.93	CORPORATION OUT OF BUSINESS NO ASSETS
34	03 02125 6060 0040 901 2	Jack The Stripper Div. Chemi-Strip Inc. 107 Victoria Ave. N.	96.15	230.67	.00	.00	326.82	CORPORATION OUT OF BUSINESS NO ASSETS
34	03 02125 6060 0040 901 3	Jack The Stripper Div. Chemi-Strip Inc. 107 Victoria Ave. N.	1.26	2.66	.00	.00	3.92	CORPORATION OUT OF BUSINESS NO ASSETS
35	03 02150 1270 0020 891 2	Martin, Tony Ideal Paving P.O.Box 336, Stn. B	6.70	107.06	.00	.00	113.76	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number	Business Serial No.	Name and Business Address	Prior Years Penalty & Interest	Prior Years Arrears	Current Years Penalty & Interest	Current Years Arrears	Taxes Outstanding	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
36	03 02150 6460 0020 861 3	Atlee, Roy Roy's Tatooing 309 Barton St. E	53.58	112.58	.00	.00	166.16	INDIGENT HARDSHIP
37	03 02155 1120 0020 911 1	Stevens, Bonnie 200 Wellington St. N.	10.80	42.92	.00	.00	53.72	OUT OF BUSINESS UNABLE TO LOCATE OWNER
37	03 02155 1120 0020 911 2	Stevens, Bonnie 200 Wellington St. N.	15.36	38.12	.00	.00	53.48	OUT OF BUSINESS UNABLE TO LOCATE OWNER
37	03 02155 1120 0020 911	Stevens, Bonnie 200 Wellington St. N.	6.08	12.84	.00	.00	18.92	OUT OF BUSINESS UNABLE TO LOCATE OWNER
38	03 02210 0430 0010 891 2	AMH Realty Mngmt. 401 Victoria N.	27.55	76.25	.00	.00	103.80	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
39	03 02210 0430 0030 891 2	Key Metal Spinning P. O. Box 3126, Stn. C	38.57	106.75	.00	.00	145.32	CORPORATION OUT OF BUSINESS NO ASSETS
40	03 02210 0430 0260 911 1	Griffett, Jane J & B Enterprises 401 Victoria Ave. N.	14.10	75.11	.00	.00	89.21	OUT OF BUSINESS UNABLE TO LOCATE OWNER
41	03 02325 0940 0020 901 1	One Stop Pizza Inc. 838 King St. East	112.45	692.14	.00	.00	804.59	CORPORATION OUT OF BUSINESS NO ASSETS
41	03 02325 0940 0020 901 2	One Stop Pizza Inc. 838 King St. East	258.96	796.91	.00	.00	1,055.87	CORPORATION OUT OF BUSINESS NO ASSETS
41	03 02325 0940 0021 901 1	One Stop Pizza Inc. 838 King St. East	10.40	63.64	.00	.00	74.04	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
41	03 02325 0940 0021 901 2	One Stop Pizze Inc. 838 King St. East	23.92	73.77	.00	.00	97.69	CORPORATION OUT OF BUSINESS NO ASSETS
42	03 02325 5280 0080 901 1	Tooth Tech Dental Lab Inc. 95 Dundas St. West	15.51	112.51	.00	.00	128.02	CORPORATION OUT OF BUSINESS NO ASSETS
43	03 02365 2890 0060 891 2	Kentex Manufacturing 274 Sherman Ave. N.	101.40	405.20	.00	.00	506.60	CORPORATION OUT OF BUSINESS NO ASSETS
44	03 02375 1480 0010 901 1	374682 Ontario Limited Barton Family Medical 642 Barton St. E., 1st	9.62	58.91	.00	.00	68.53	CORPORATION OUT OF BUSINESS NO ASSETS
45	03 02375 5670 0020 901 2	Rappazzo, Mimma Italian Fish Market 635 Barton St. East	6.08	30.30	.00	.00	36.38	OUT OF BUSINESS UNABLE TO LOCATE OWNER

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
46	03 02375 5670 0020 902 1	Suppa, Vince Rappazzo, Antonietta Italian Fish Market 635 Barton St. East	136.04	573.00	.00	.00	709.04	OUT OF BUSINESS UNABLE TO LOCATE OWNER
46	03 02375 5670 0020 909 1	Suppa, Vince Rappazzo, Antonietta Italian Fish Market 635 Barton St. East	17.82	79.49	.00	.00	97.31	OUT OF BUSINESS UNABLE TO LOCATE OWNER
47	03 02450 5970 0030 901 1	Vanderkley, Rob Mundy, Steve The Ark & Aquarium and Pet Centre 646 Main St. East	534.42	2,046.85	.00	.00	2,581.27	OUT OF BUSINESS UNABLE TO LOCATE OWNER
48	03 02510 0640 0020 901 1	Woods, Jim General Contractor 302 Cumberland	261.80	1,047.27	.00	.00	1,309.07	OUT OF BUSINESS UNABLE TO LOCATE OWNER

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
48	03 02510 0640 0020 911 1	Woods, Jim General Contractor 302 Cumberland	17.82	79.02	.00	.00	96.84	OUT OF BUSINESS UNABLE TO LOCATE OWNER
49	03 02655 2630 0020 911 1	Fordham Roger Diamond Carpet Care 685 Barton St. East	58.52	334.69	.00	.00	393.21	OUT OF BUSINESS UNABLE TO LOCATE OWNER
50	04 02855 7010 0060 881 3	Peckham, John T/A J Peckham Contr. 29 Linden St.	514.16	1,143.41	.00	.00	1,657.57	OUT OF BUSINESS UNABLE TO LOCATE OWNER
50	04 02855 7010 0060 881 4	Peckham, John T/A J Peckham Contr. 29 Linden St.	885.92	1,446.60	.00	.00	2,332.52	OUT OF BUSINESS UNABLE TO LOCATE OWNER
51	04 02860 0850 0060 901 1	Phoenix Plaza 969 Derry Rd. U.112	62.00	619.80	.00	.00	681.80	CORPORATION OUT OF BUSINESS NO ASSETS
51	04 02860 0850 0061 901 1	Phoenix Pizza 969 Derry Rd. U.112	5.36	53.71	.00	.00	59.07	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
52	04 02860 2010 0010 871 4	578122 Ontario Limited 985 Barton St. E.	41.04	.00	.00	.00	41.04	CORPORATION OUT OF BUSINESS NO ASSETS
53	04 02860 2070 0140 861 6	A & R Typewriter Services Inc. 957-959 Barton St. E.	406.46	406.00	.00	.00	812.46	CORPORATION OUT OF BUSINESS NO ASSETS
53	04 02860 2070 0141 861 5	A & R Typewriter Services Inc. 957-959 Barton St. E.	.57	1.02	.00	.00	1.59	CORPORATION OUT OF BUSINESS NO ASSETS
53	04 02860 2070 0150 861 6	A & R Typewriter Services Inc. 957-959 Barton St. E.	106.41	106.52	.00	.00	212.93	CORPORATION OUT OF BUSINESS NO ASSETS
54	04 02875 2800 0020 881 3	Dolan, Vern T/A Willy's Auto 243 Beach Rd.	55.76	108.96	.00	.00	164.72	OUT OF BUSINESS UNABLE TO LOCATE OWNER

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
55	04 02875 3770 0020 901 1	Kwiatkowski-Leblanc 15 Lake Ave. Dr.	104.71	392.73	.00	.00	497.44	OUT OF BUSINESS UNABLE TO LOCATE OWNER
55	04 02875 3770 0020 901 2	Kwiatkowski-Leblanc 15 Lake Ave. Dr.	64.96	325.10	.00	.00	390.06	OUT OF BUSINESS UNABLE TO LOCATE OWNER
56	04 03040 0370 0020 891 2	Pelone, Lucia T/A Lucia's Pizzeria 1570 King St. East	23.00	92.07	.00	.00	115.07	OUT OF BUSINESS UNABLE TO LOCATE OWNER
57	04 03125 7310 0080 911 1	Lutz, Beverley T/A Bev's Art's 1369 Main St. East	125.20	469.99	.00	.00	595.19	OUT OF BUSINESS UNABLE TO LOCATE OWNER
57	04 03125 7310 0080 911 2	Lutz, Beverley T/A Bev's Art's 1369 Main St. East	13.94	65.76	.00	.00	79.70	OUT OF BUSINESS UNABLE TO LOCATE OWNER

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty Interest (4)	Prior Years Arrears (5)	Current Years Penalty Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
58	04 03150 0310 5500 891 2	688674 Ontario Ltd. T/A It Store 122 Cambridge Ave.	86.94	302.69	.00	.00	389.63	CORPORATION OUT OF BUSINESS NO ASSETS
58	04 03150 0310 5501 891 2	688674 Ontario Ltd. T/A It Store 122 Cambridge Ave.	40.00	128.28	.00	.00	168.28	CORPORATION OUT OF BUSINESS NO ASSETS
59	04 03330 8000 0040 911 0	Howard, Kathleen T/A Strategies Type 1557 Main St. East	3.88	77.50	.00	.00	81.38	CORPORATION OUT UNABLE TO LOCATE OWNER
59	04 03330 8000 0040 911 1	Howard, Kathleen T/A Strategies Type 1557 Main St. East	45.90	244.65	.00	.00	290.55	OUT OF BUSINESS UNABLE TO LOCATE OWNER
60	04 03330 9020 0020 902 1	869279 Ontario Ltd. T/A Control Service 1443 Main St. East	74.24	742.24	.00	.00	816.48	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
61	05 04010 1150 0120 901 0	Burlic Enterprises Inc.134.16 2837 King St. East		894.65	.00	.00	1,028.81	CORPORATION OUT OF BUSINESS NO ASSETS
61	05 04010 1150 0120 901 2	Burlic Enterprises Inc.294.24 2837 King St. East		784.15	.00	.00	1,078.39	CORPORATION OUT OF BUSINESS NO ASSETS
62	05 04810 0236 0040 901 2	151742 Canada Inc. T/A Penny Gas Bar 625 Markham Rd. U.29	103.14	305.72	.00	.00	408.86	CORPORATION OUT OF BUSINESS NO ASSETS
63	05 04810 3400 0020 891 2	RMO Meat Ltd. T/A Centennial Meats 291 Nash Rd. North	270.20	1,080.64	.00	.00	1,350.84	CORPORATION OUT OF BUSINESS NO ASSETS
63	05 04810 3400 0025 891 2	RMO Meat Ltd. T/A Centennial Meats 291 Nash Rd. North	9.20	36.96	.00	.00	46.16	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number	Business Serial No.	Name and Business Address	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
64	05 04810 4180 0020 901 1	Staz Communications 505 Kenora Avenue	15.12	66.88	.00	.00	82.00	CORPORATION OUT OF BUSINESS NO ASSETS
65	05 04810 8480 0040 891 2	Mother's Restaurants Incorporated 5360 South Service Rd.	533.15	1,277.23	.00	.00	1,810.38	CORPORATION OUT OF BUSINESS NO ASSETS
66	06 06260 8280 0120 881 3	Mountain Computer Inc. c/o K Hryciuk 328 East 42nd St.	203.58	417.93	.00	.00	621.51	CORPORATION OUT OF BUSINESS NO ASSETS
66	06 06260 8280 0121 881 3	Mountain Computer Inc. c/o K Hryciuk 328 East 42nd St.	34.30	78.27	.00	.00	112.57	CORPORATION OUT OF BUSINESS NO ASSETS
67	07 06520 6010 2460 891 2	General Nutrition Centre T/A Vogel 2245 Vianu Blvd.	10.50	28.04	.00	.00	38.54	TOO SMALL FOR LITIGATION
68	07 06610 7970 0040 891 2	Miklos, Jim Econo Cleaning Care 660 Fennell Ave. East	8.05	28.14	.00	.00	36.19	TOO SMALL FOR LITIGATION

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
100	01 01015 0070 0020 901 2	Shoppers Auto Parts 807 Main St. West	212.17	707.59	.00	.00	919.76	CORPORATION OUT OF BUSINESS NO ASSETS
101	01 01015 0070 0020 901 2	Falcon 1 Real Estate 374 Main St. West	17.16	124.60	.00	.00	141.76	CORPORATION OUT OF BUSINESS NO ASSETS
101	01 01015 0220 0020 901 2	Falcon 1 Real Estate 374 Main St. West	47.52	345.64	.00	.00	393.16	CORPORATION OUT OF BUSINESS NO ASSETS
101	01 01015 0220 0040 901 2	Falcon 1 Real Estate 374 Main St. West	39.71	288.60	.00	.00	328.31	CORPORATION OUT OF BUSINESS NO ASSETS
102	01 01015 3660 0120 891 4	Pizza Inferno Inc. 114 Florence	38.00	79.63	.00	.00	117.63	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
103	01 01035 2790 0080 911 2	Remax 4 Star Realty 505 King St. West	65.93	277.96	.00	.00	343.89	CORPORATION OUT OF BUSINESS NO ASSETS
103	01 01035 2790 0160 911 2	Remax 4 Star Realty 505 King St. West	527.44	2,220.56	.00	.00	2,748.00	CORPORATION OUT OF BUSINESS NO ASSETS
103	01 01035 2790 0161 911 2	Remax 4 Star Realty 505 King St. West	106.43	399.16	.00	.00	505.59	CORPORATION OUT OF BUSINESS NO ASSETS
103	01 01035 2790 0161 911 3	Remax 4 Star Realty 505 King St. West	.90	2.41	.00	.00	3.31	CORPORATION OUT OF BUSINESS NO ASSETS
104	02 01220 0010 0590 891 4	Frill Seekers Inc. 487 Adelaide St. W.	67.46	140.80	.00	.00	208.26	CORPORATION OUT OF BUSINESS NO ASSETS

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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
105	02 01220 0050 0195 911 3	PMGB Investments Ltd. Panda 2 King St. West	392.60	1,873.22	.00	.00	2,265.82	CORPORATION OUT OF BUSINESS NO ASSETS
106	02 01220 0050 0473 911 2	A D Jewellery Ltd. 2 King St. West	73.40	293.53	.00	.00	366.93	CORPORATION OUT OF BUSINESS NO ASSETS
106	02 01220 0050 0473 911 3	A D Jewellery Ltd. 2 King St. West	11.78	30.00	.00	.00	41.78	CORPORATION OUT OF BUSINESS NO ASSETS
107	02 01220 0050 0475 911 2	Canada Naturally Yogurt 113 Argonne Cres.	211.14	791.89	.00	.00	1,003.03	CORPORATION OUT OF BUSINESS NO ASSETS
107	02 01220 0050 0475 911 3	Canada Naturally Yogurt 113 Argonne Cres.	46.48	265.73	.00	.00	312.21	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number	Business Serial No.	Name and Business Address	Prior Years Penalty & Interest	Prior Years Arrears	Current Years Penalty & Interest	Current Years Arrears	Taxes Outstanding	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
107	02 01220 0050 1800 911 2	Canada Naturally Yogurt 113 Argonne Cres.	24.10	90.13	.00	.00	114.23	CORPORATION OUT OF BUSINESS NO ASSETS
107	02 01220 0050 1800 911 3	Canada Naturally Yogurt 113 Argonne Cres.	33.38	80.07	.00	.00	113.45	CORPORATION OUT OF BUSINESS NO ASSETS
108	02 01220 0050 0510 901 2	830957 Ontario Inc. Box 263 2 Levendale Rd.	267.68	1,004.35	.00	.00	1,272.03	CORPORATION OUT OF BUSINESS NO ASSETS
108	02 01220 0050 0510 911 2	830957 Ontario Inc. Box 263 2 Levendale Rd.	73.08	325.09	.00	.00	398.17	CORPORATION OUT OF BUSINESS NO ASSETS
109	02 01220 0050 0515 881 4	Parr, Carolyn The Sausage House 2 King St. West	597.55	1,052.60	.00	.00	1,650.15	OUT OF BUSINESS UNABLE TO LOCATE OWNER
109	02 01220 0050 0515 881 4	Parr, Carolyn The Sausage House 2 King St. West	32.35	31.46	.00	.00	63.81	OUT OF BUSINESS UNABLE TO LOCATE OWNER

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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number	Business Serial No.	Name and Business Address	Prior Years Penalty & Interest	Prior Years Arrears	Current Years Penalty & Interest	Current Years Arrears	Taxes Outstanding	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
110	02 01230 0070 0040 891 3	Canadian Intercity Tourism Service Ltd. 1600 Laperriere Ave.	11.04	38.12	.00	.00	49.16	CORPORATION OUT OF BUSINESS NO ASSETS
110	02 01230 0070 0040 891 4	Canadian Intercity Tourism Service Ltd. 1600 Laperriere Ave.	19.36	35.20	.00	.00	54.56	CORPORATION OUT OF BUSINESS NO ASSETS
111	02 01310 0010 0020 881 4	Pernfuss, Michael Chiropractic Care	496.08	1,101.84	.00	.00	1,597.92	OUT OF BUSINESS UNABLE TO LOCATE OWNER
112	02 01420 3070 0020 881 4	Shiujl, Sadrudin 9 Crescent Place	182.52	374.38	.00	.00	556.90	OUT OF BUSINESS UNABLE TO LOCATE OWNER
113	02 01430 0550 0040 881 4	580868 Ontario Inc. T/A Video Store 225 John St. South	161.28	358.43	.00	.00	519.71	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
113	02 01430 0550 0041 881	580868 Ontario Inc. T/A Video Store 225 John St. South	106.62	237.93	.00	.00	344.55	CORPORATION OUT OF BUSINESS NO ASSETS
114	02 01445 9240 0300 891 3	Bach Systems Inc. 8 Main St. East	439.02	1,300.70	.00	.00	1,739.72	CORPORATION OUT OF BUSINESS NO ASSETS
114	02 01445 9240 0300 891 4	Bach Systems Inc. 8 Main St. East	172.62	445.57	.00	.00	618.19	CORPORATION OUT OF BUSINESS NO ASSETS
115	02 01450 1000 0020 901 2	789159 Ontario Inc. T/A Entre Computer Centre 100 Main St. East	1,402.96	5,262.14	.00	.00	6,665.10	CORPORATION OUT OF BUSINESS NO ASSETS
116	02 01520 0460 0020 891 3	Avinda Video Inc. W K Anderson Sound 220 Adelaide St. N.	170.20	592.19	.00	.00	762.39	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
117	02 01525 0610 0020 892 3	Chowdhury, Abdul Curry Cottage Rest. 193 King St. East	114.24	571.01	.00	.00	685.25	OUT OF BUSINESS UNABLE TO LOCATE OWNER
117	02 01525 0610 0020 901 3	Chowdhury, Abdul Curry Cottage Rest. 193 King St. East	200.70	535.39	.00	.00	736.09	OUT OF BUSINESS UNABLE TO LOCATE OWNER
118	02 01535 8010 0010 901 2	Windsor Hotel Hamilton Ltd. 31 John St. North	65.23	474.42	.00	.00	539.65	CORPORATION OUT OF BUSINESS NO ASSETS
119	02 01545 1120 0020 901 2	Keoshkerian, V. Rebecca Market 11 Rebecca St.	447.92	3,257.72	.00	.00	3,705.64	OUT OF BUSINESS UNABLE TO LOCATE OWNER
120	02 01810 3430 0020 901 2	Kennedy, Cheryl The Nail Foundation 316 King St. East	5.36	53.23	.00	.00	58.59	OUT OF BUSINESS UNABLE TO LOCATE OWNER

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty Interest & (4)	Prior Years Arrears (5)	Current Years Penalty Interest & (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
121	02 01820 1170 0060 891 3	Nieuwland Assoc. 70 Ferguson Ave. N.	707.60	1,952.08	.00	.00	2,659.68	CORPORATION OUT OF BUSINESS NO ASSETS
122	02 01920 9000 0190 891 4	Industrial Task Force Ltd. 5100 Harvester Dr.	267.96	739.36	.00	.00	1,007.32	CORPORATION OUT OF BUSINESS NO ASSETS
123	03 02030 5830 0140 901 2	Bruce Bradbury T/A Computer Sense 370 Main St. East	23.00	92.28	.00	.00	115.28	CORPORATION OUT OF BUSINESS NO ASSETS
123	03 02030 5830 0140 909 2	Bruce Bradbury T/A Computer Sense 370 Main St. East	13.86	61.76	.00	.00	75.62	CORPORATION OUT OF BUSINESS NO ASSETS
123	03 02030 5830 0160 901 2	Bruce Bradbury T/A Computer Sense 370 Main St. East	127.20	508.62	.00	.00	635.82	CORPORATION OUT OF BUSINESS NO ASSETS

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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
123	03 02030 5830 0160 909 2	Bruce Bradbury T/A Computer Sense 370 Main St. East	76.68	340.40	.00	.00	417.08	CORPORATION OUT OF BUSINESS NO ASSETS
125	03 02030 5830 0520 901 2	754545 Ontario Ltd. Misycos Division 370 Main St. East	24.32	243.29	.00	.00	267.61	CORPORATION OUT OF BUSINESS NO ASSETS
126	03 02030 5830 0620 911 2	Shearer, Lorraine Expert Computer Systems 370 Main St. East	52.60	210.19	.00	.00	262.79	CORPORATION OUT OF BUSINESS NO ASSETS
127	03 02040 0010 0010 909 2	Tuite Construction Limited 2065 Heaton Rd.	17.16	105.55	.00	.00	122.71	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
128	03 02110 0100 0020 862	McLean Optical & Hearing 497 Main St. East	106.20	141.30	.00	.00	247.50	CORPORATION OUT OF BUSINESS NO ASSETS
129	03 02125 7620 0020 901 2	Marshall Webb Enterprise Inc. 28 Victoria Ave. N.	123.51	463.55	.00	.00	587.06	CORPORATION OUT OF BUSINESS NO ASSETS
129	03 02125 7620 0020 901 3	Marshall Webb Enterprise Inc. 28 Victoria Ave. N.	4.00	12.80	.00	.00	16.80	CORPORATION OUT OF BUSINESS NO ASSETS
130	03 02150 6260 0020 891 4	Barl Kitchen Cabinet 333 Barton St. East	174.15	323.88	.00	.00	498.03	CORPORATION OUT OF BUSINESS NO ASSETS
131	03 02240 3490 0020 881 5	Harris, Edward 5 Hillyard Street	96.96	263.46	.00	.00	360.42	OUT OF BUSINESS UNABLE TO LOCATE OWNER

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
132	03 02250 0070 0040 911 3	537871 Ontario Inc. T/A Debonair Tavern 421 Sherman Ave. N.	449.48	1,105.67	.00	.00	1,555.15	CORPORATION OUT OF BUSINESS NO ASSETS
133	03 02250 4270 0040 881 5	MacDonald, Douglas MacDonald's Autobody 401 Sherman Ave. N.	58.76	90.71	.00	.00	149.47	OUT OF BUSINESS UNABLE TO LOCATE OWNER
134	03 02250 8220 0020 891 3	Marks Walter 33 Kimberley Drive	142.20	378.89	.00	.00	521.09	OUT OF BUSINESS UNABLE TO LOCATE OWNER
135	03 02375 0040 0010 901 3	Travel Trust Inc. 466 Barton St. East	38.52	170.98	.00	.00	209.50	CORPORATION OUT OF BUSINESS NO ASSETS
136	03 02375 1600 0060 901 2	Sherman, Robin Royal Banquet Hall 60 Birchlawn Ct.	129.25	940.36	.00	.00	1,069.61	OUT OF BUSINESS UNABLE TO LOCATE OWNER

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Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
137	03 02450 5910 0060 881 5	Lodestar Vacation Network 1120 Lodestar Rd.	652.31	1,272.79	.00	.00	1,925.10	CORPORATION OUT OF BUSINESS NO ASSETS
138	03 02450 6690 0020 891 3	Bisignani, Giovanna T/A Miracle Coin Laundry 728 Main St. East	134.19	397.50	.00	.00	531.69	OUT OF BUSINESS UNABLE TO LOCATE OWNER
139	03 02655 1310 0030 901 3	Nika, Joseph Cerga Restaurant 797 Barton St. East	282.45	676.74	.00	.00	959.19	OUT OF BUSINESS UNABLE TO LOCATE OWNER
140	03 02660 5440 0020 881 4	Gennardi, Eduardo Eduardo Importing 58 Sherman Ave. N.	53.23	106.73	.00	.00	159.96	OUT OF BUSINESS UNABLE TO LOCATE OWNER
140	03 02660 5470 0020 881 4	Gennardi, Eduardo Eduardo Importing 58 Sherman Ave. N.	55.48	116.99	.00	.00	172.47	OUT OF BUSINESS UNABLE TO LOCATE OWNER

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Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
141	03 02710 0870 0500 881 4	554294 Ontario Inc. T/A Great Canadian Candle 272 Sherman Ave. N.	236.77	498.56	.00	.00	735.33	CORPORATION OUT OF BUSINESS NO ASSETS
141	03 02710 0870 0500 881 5	554294 Ontario Inc. T/A Great Canadian Candle 272 Sherman Ave. N.	136.16	681.02	.00	.00	817.18	CORPORATION OUT OF BUSINESS NO ASSETS
142	04 02835 2460 0020 901	Sharma Amandeep T/A Pioneer Gas 1081 Cannon St. East	52.64	300.92	.00	.00	353.56	OUT OF BUSINESS UNABLE TO LOCATE OWNER
143	04 02835 2460 0020 901 3	Christmas, Lyle L & Lithoarts 1019 Barton St. East	160.74	283.39	.00	.00	444.13	CORPORATION OUT OF BUSINESS NO ASSETS
144	04 02930 5690 0020 871 6	Cross Canada Liquidators 5300 Duferin Street	430.44	1,012.90	.00	.00	1,443.34	CORPORATION OUT OF BUSINESS NO ASSETS

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Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
145	04 02930 5690 0040 891 3	Olechno, Vera T/A Steel City Video 1350 Limeridge Rd. E.	110.88	317.13	.00	.00	428.01	OUT OF BUSINESS UNABLE TO LOCATE OWNER
145	04 02930 5690 0040 891 4	Olechno, Vera T/A Steel City Video 1350 Limeridge Rd. E.	186.81	383.04	.00	.00	569.85	OUT OF BUSINESS UNABLE TO LOCATE OWNER
146	04 03050 0610 0020 891 3	752455 Ontario Ltd. T/A Fashion Two Twenty 810 Main St. East	84.87	295.39	.00	.00	380.26	CORPORATION OUT OF BUSINESS NO ASSETS
147	04 03110 0880 0040 901 3	Canadian Cremation Society Peninsula Inc. 70 Ottawa St. North	64.22	270.48	.00	.00	334.70	CORPORATION OUT OF BUSINESS NO ASSETS
148	04 03330 9020 0020 901 2	805607 Ontario Ltd. 1443 Main St. East	36.68	209.84	.00	.00	246.52	CORPORATION OUT OF BUSINESS NO ASSETS
148B	04 03155 5520 0020 901 2	Eastham Sales Inc. T/A Elk Shipping 251 Kenilworth Ave. N.	116.76	667.42	.00	.00	784.18	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty Interest \$ (4)	Prior Years Arrears (5)	Current Years Penalty Interest \$ (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
149	04 03330 9020 0060 901 2	794929 Ontario Ltd. 1449 Main St. East	59.64	340.66	.00	.00	400.30	CORPORATION OUT OF BUSINESS NO ASSETS
150	04 03335 9540 0020 892 3	Smeaton, Mike T/A V Plus Gas Bar 1550 Barton St. East	304.06	1,057.47	.00	.00	1,361.53	OUT OF BUSINESS UNABLE TO LOCATE OWNER
151	04 03335 9540 0020 893 3	Bouzan, Jamie T/A Bouzan's V Plus 1550 Barton St. East	282.36	868.62	.00	.00	1,150.98	OUT OF BUSINESS UNABLE TO LOCATE OWNER
152	05 03850 6300 0060 891 4	PLT Holdings Inc. 233 Parkdale Ave. N.	115.92	515.16	.00	.00	631.08	CORPORATION OUT OF BUSINESS NO ASSETS
153	05 04220 9000 0050 901 3	694610 Ontario Inc. Pizaa Pizaa 280 Queenston Road	202.84	737.27	.00	.00	940.11	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
153	05 04220 9000 0051 901 3	694610 Ontario Inc. Pizza Pizza 280 Queenston Road	100.40	249.89	.00	.00	350.29	CORPORATION OUT OF BUSINESS NO ASSETS
154	05 04530 0010 2300 891 3	The Connection Group c/o Ziltreer, Siblin 30 St. Clair Ave. W.	234.36	694.19	.00	.00	928.55	CORPORATION OUT OF BUSINESS NO ASSETS
154	05 04530 0010 2305 891 3	The Connection Group c/o Ziltreer, Siblin 30 St. Clair Ave. W.	37.26	110.17	.00	.00	147.43	CORPORATION OUT OF BUSINESS NO ASSETS
155	05 04530 0010 2300 901 2	809135 Ontario Ltd. T/A The Connection 2345 Keele Street	147.76	1,477.66	.00	.00	1,625.42	CORPORATION OUT OF BUSINESS NO ASSETS
155	05 04530 0010 2305 901 2	809135 Ontario Ltd. T/A The Connection 2345 Keele Street	23.80	234.77	.00	.00	258.57	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
156	05 04610 0400 0040 891 3	The Waterbed Gallery, 111.48 2180 Hwy. 7, Unit 18		3,272.61	.00	.00	4,384.09	CORPORATION OUT OF BUSINESS NO ASSETS
157	05 04620 0020 0500 901 3	162603 Canada Inc. T/A Stop Shoe Liquidation	84.93	357.79	.00	.00	442.72	CORPORATION OUT OF BUSINESS NO ASSETS
157	05 04620 0020 0501 901 3	162603 Canada Inc. T/A Stop Shoe Liquidation	35.34	148.84	.00	.00	184.18	CORPORATION OUT OF BUSINESS NO ASSETS
158	05 04620 0020 1010 901 3	Health Tex Inc. Kids Port Canada 995 Finch Ave. W.	6.90	37.17	.00	.00	44.07	CORPORATION OUT OF BUSINESS NO ASSETS
159	05 04810 1030 0020 901 2	C I F F Ltd. 2371 Barton St. East	111.72	638.74	.00	.00	750.46	CORPORATION OUT OF BUSINESS NO ASSETS
159A	05 04630 0100 0010 891 3	W. L. Fulker Insurance 99 Hwy 8	99.50	318.30	.00	.00	417.63	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
160	05 04810 3400 0110 901 2	Barlett Business Equipment Inc. 1027 Speers Rd., U.28	843.30	3,163.29	.00	.00	4,006.59	CORPORATION OUT OF BUSINESS NO ASSETS
160	05 04810 3400 0115 901 2	Barlett Business Equipment Inc. 1027 Speers Rd., U.28	29.23	109.45	.00	.00	138.68	CORPORATION OUT OF BUSINESS NO ASSETS
161	05 04810 3400 0115 901 3	Barlett Business Equipment Inc. 1027 Speers Rd., U.28	18.60	47.78	.00	.00	66.38	CORPORATION OUT OF BUSINESS NO ASSETS
162	05 04810 5370 0050 901 2	779587 Ontario Inc. T/A Auto Genics 265 Centennial Pkwy. N.	672.25	2,521.62	.00	.00	3,193.87	CORPORATION OUT OF BUSINESS NO ASSETS
163	05 04810 5700 0090 901 2	775410 Ontario Inc. T/A Parkway Movers 43 Keefer Ct., Ste.205	43.40	173.83	.00	.00	217.23	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
164	05 04810 7370 0035 891 4	WMI Waste Mgmt. Can. 161.46 c/o Industrial Disposal P. O. Box 99		330.92	.00	.00	492.38	CORPORATION OUT OF BUSINESS NO ASSETS
165	05 04810 8400 0020 901 2	Promark Printing Inc. P.O. Box 9094	28.39	133.74	.00	.00	162.13	CORPORATION OUT OF BUSINESS NO ASSETS
166	05 04810 8410 0080 901 2	809129 Ontario Ltd. T/A Blue Line Distr. 5360 South Service Rd.	10.78	61.55	.00	.00	72.33	CORPORATION OUT OF BUSINESS NO ASSETS
166	05 04810 8410 0040 901 2	809129 Ontario Ltd. T/A Blue Line Distr. 5360 South Service Rd.	675.64	3,860.82	.00	.00	4,536.46	CORPORATION OUT OF BUSINESS NO ASSETS
167	05 04810 8440 0300 901 2	Tiger Beverages 41A Brockley Dr.	64.68	369.33	.00	.00	434.01	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
160	05 04810 3400 0110 901 2	Barlett Business Equipment Inc. 1027 Speers Rd., U.28	843.30	3,163.29	.00	.00	4,006.59	CORPORATION OUT OF BUSINESS NO ASSETS
160	05 04810 3400 0115 901 2	Barlett Business Equipment Inc. 1027 Speers Rd., U.28	29.23	109.45	.00	.00	138.68	CORPORATION OUT OF BUSINESS NO ASSETS
161	05 04810 3400 0115 901 3	Barlett Business Equipment Inc. 1027 Speers Rd., U.28	18.60	47.78	.00	.00	66.38	CORPORATION OUT OF BUSINESS NO ASSETS
162	05 04810 5370 0050 901 2	779587 Ontario Inc. T/A Auto Genics 265 Centennial Pkwy. N.	672.25	2,521.62	.00	.00	3,193.87	CORPORATION OUT OF BUSINESS NO ASSETS
163	05 04810 5700 0090 901 2	775410 Ontario Inc. T/A Parkway Movers 43 Keefer Ct., Ste.205	43.40	173.83	.00	.00	217.23	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
164	05 04810 7370 0035 891 4	WMI Waste Mgmt. Can. c/o Industrial Disposal P. O. Box 99	161.46	330.92	.00	.00	492.38	CORPORATION OUT OF BUSINESS NO ASSETS
165	05 04810 8400 0020 901 2	Promark Printing Inc. P.O. Box 9094	28.39	133.74	.00	.00	162.13	CORPORATION OUT OF BUSINESS NO ASSETS
166	05 04810 8410 0080 901 2	809129 Ontario Ltd. T/A Blue Line Distr. 5360 South Service Rd.	10.78	61.55	.00	.00	72.33	CORPORATION OUT OF BUSINESS NO ASSETS
166	05 04810 8410 0040 901 2	809129 Ontario Ltd. T/A Blue Line Distr. 5360 South Service Rd.	675.64	3,860.82	.00	.00	4,536.46	CORPORATION OUT OF BUSINESS NO ASSETS
167	05 04810 8440 0300 901 2	Tiger Beverages 41A Brockley Dr.	64.68	369.33	.00	.00	434.01	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
Treasury

CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
168	05 04810 9820 0220 861 7	Topic, John Topic Electric 14 Ashbury Lane	94.42	93.18	.00	.00	187.60	CORPORATION OUT OF BUSINESS NO ASSETS
168	05 04810 9820 0220 861 8	Topic, John Topic Electric 14 Ashbury Lane	92.65	87.57	.00	.00	180.22	CORPORATION OUT OF BUSINESS NO ASSETS
169	05 04920 4940 0020 901 2	672248 Ontario Inc. T/A Melvin's Submarines 46 Bernard St.	132.22	495.74	.00	.00	627.96	CORPORATION OUT OF BUSINESS NO ASSETS
170	05 05010 0400 0020 901 2	Rennie Sheet Metal 762 Rennie St.	37.10	211.80	.00	.00	248.90	CORPORATION OUT OF BUSINESS NO ASSETS
171	06 05810 6320 0020 901 2	Rolling Hill Inc. 31 Bigwin Rd., U.1	46.74	196.54	.00	.00	243.28	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
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SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty Interest (4)	Prior Years Arrears (5)	Current Years Penalty Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
172	06 05810 6320 0120 901 2	The Appli- ance Connection 1000 Upper Gage	47.85	348.03	.00	.00	395.88	CORPORATION OUT OF BUSINESS NO ASSETS
172	06 05810 6320 0120 901 3	The Appli- ance Connection 1000 Upper Gage	81.12	249.78	.00	.00	330.90	CORPORATION OUT OF BUSINESS NO ASSETS
173	06 06130 8750 0240 892 3	766314 Ontario T/A Taskers Quality 981 Fennell E.	106.80	426.95	.00	.00	533.75	CORPORATION OUT OF BUSINESS NO ASSETS
173	06 06130 8750 0241 892 3	766314 Ontario T/A Taskers Quality 981 Fennell E.	39.80	159.24	.00	.00	199.04	CORPORATION OUT OF BUSINESS NO ASSETS
174	06 06250 8040 0020 891 3	A & B Interiors P. O. Box 4115	80.33	221.71	.00	.00	302.04	CORPORATION OUT OF BUSINESS NO ASSETS
175	06 07210 5920 0070 902 2	Lynkor Inc. 45 Lancing Dr. U.8	109.56	796.50	.00	.00	906.06	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
175	06 07210 5920 0080 901 2	Lynkor Inc. 45 Lancing Dr.U.8	128.59	934.83	.00	.00	1,063.42	CORPORATION OUT OF BUSINESS NO ASSETS
175	06 07210 5920 0080 909 2	Lynkor Inc. 45 Lancing Dr.U.8	55.33	402.51	.00	.00	457.84	CORPORATION OUT OF BUSINESS NO ASSETS
176	06 07210 7020 0010 901 2	Satellite Fruit Market Garden Centre 707 Barton St. E.	114.76	483.04	.00	.00	597.80	CORPORATION OUT OF BUSINESS NO ASSETS
176	06 07210 7020 0010 901 2	Satellite Fruit Market Garden Centre 707 Barton St. E.	17.68	83.55	.00	.00	101.23	CORPORATION OUT OF BUSINESS NO ASSETS
177	06 07210 7040 0010 901 2	766326 Ontario Ltd. It's Coffee Time Peggy Sue 1205 Rymal Rd. E.	96.14	699.29	.00	.00	795.43	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
177	06 07210 7040 0011 901 2	766326 Ontario Ltd. It's Coffee Time Peggy Sue 1205 Rymal Rd. E.	3.19	23.02	.00	.00	26.21	CORPORATION OUT OF BUSINESS NO ASSETS
178	07 06520 6010 2780 901 2	Ridge Dental Mgmt. Tridont Dental Centre Royal Bank Plaza	740.60	2,962.63	.00	.00	3,703.23	CORPORATION OUT OF BUSINESS NO ASSETS
179	07 06520 6010 2900 891 3	Andrew Janssens Enterprise Ltd. Andea Confections 32 Purnell Drive	182.25	539.88	.00	.00	722.13	CORPORATION OUT OF BUSINESS NO ASSETS
179	07 06520 6010 2901 891 3	Andrew Janssens Enterprise Ltd. Andea Confections 32 Purnell Drive	62.64	185.87	.00	.00	248.51	CORPORATION OUT OF BUSINESS NO ASSETS
180	07 06610 8720 0680 901 2	518038 Ontario Inc. Trader Jacks 550 Fennell Ave. E.	58.30	424.20	.00	.00	482.50	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number	Business Serial No.	Name and Business Address	Prior Years Penalty Interest (4)	Prior Years Arrears (5)	Current Years Penalty Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
180	07 06610 8720 0681 901 2	518038 Ontario Inc. Trader Jacks 550 Fennell Ave. E.	7.04	51.58	.00	.00	58.62	CORPORATION OUT OF BUSINESS NO ASSETS
181	07 06770 6470 0080 901 2	Peach Pages Inc. 671 Fennell Ave. E.	216.90	813.36	.00	.00	1,030.26	CORPORATION OUT OF BUSINESS NO ASSETS
182	07 07410 8660 0060 901 2	Calzonette, Albert Cal's Roadhouse 867 Rymal Rd. E.	56.80	567.73	.00	.00	624.53	CORPORATION OUT OF BUSINESS NO ASSETS
182	07 07410 8660 0060 901 3	Calzonette, Albert Cal's Roadhouse 867 Rymal Rd. E.	540.84	1,296.30	.00	.00	1,837.14	CORPORATION OUT OF BUSINESS NO ASSETS
182	07 07410 8660 0060 901 4	Calzonette, Albert Cal's Roadhouse 867 Rymal Rd. E.	6.38	17.78	.00	.00	24.16	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
183	07 08110 1060 0020 901 2	609839 Ontario Inc. Canadian Carpet Care 296 Brucevale Ave. E.	177.87	667.42	.00	.00	845.29	CORPORATION OUT OF BUSINESS NO ASSETS
184	07 08110 2070 0060 891 3	A First Class Tan 617 Upper Wellington	73.36	209.81	.00	.00	283.17	CORPORATION OUT OF BUSINESS NO ASSETS
185	07 08610 0100 0020 891 3	668550 Ontario Inc. Tuite Construction 55 Rymal Rd. East	73.00	291.67	.00	.00	364.67	CORPORATION OUT OF BUSINESS NO ASSETS
186	07 08610 2470 0020 901 2	758514 Ontario Ltd. T/A Airport Variety 1565 Upper James	13.53	98.38	.00	.00	111.91	CORPORATION OUT OF BUSINESS NO ASSETS
186	07 08610 2470 0020 901 4	758514 Ontario Ltd. T/A Airport Variety 1565 Upper James	148.49	383.28	.00	.00	531.77	CORPORATION OUT OF BUSINESS NO ASSETS

City of Hamilton
TreasuryCATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number	Business Serial No.	Name and Business Address	Prior Years Penalty & Interest	Prior Years Arrears	Current Years Penalty & Interest	Current Years Arrears	Taxes Outstanding	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
186	07 08610 2470 0021 901 2	758514 Ontario Ltd. T/A Airport Variety 1565 Upper James	6.82	49.46	.00	.00	56.28	CORPORATION OUT OF BUSINESS NO ASSETS
186	07 08610 2470 0021 901 4	758514 Ontario Ltd. T/A Airport Variety 1565 Upper James	75.95	195.68	.00	.00	271.63	CORPORATION OUT OF BUSINESS NO ASSETS
187	07 08710 1970 0021 891 3	The High School Cafe 447 East 13th St.	182.78	562.27	.00	.00	745.05	CORPORATION OUT OF BUSINESS NO ASSETS
187	07 08710 1970 0021 891 4	The High School Cafe 447 East 13th St.	175.32	462.44	.00	.00	637.76	CORPORATION OUT OF BUSINESS NO ASSETS
188	07 08710 1970 0141 891 3	Brunner Travel Ltd. 518 Mohawk Rd. E.	8.32	25.81	.00	.00	34.13	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
189	07 08820 0010 0020 901 2	Embassey General Contractors Ltd. 1079 Upper James	187.11	1,360.70	.00	.00	1,547.81	CORPORATION OUT OF BUSINESS NO ASSETS
190	08 08910 0700 1700 892 3	Whatznu Fashions What's Nu 19 Duncan St.	94.07	327.13	.00	.00	421.20	CORPORATION OUT OF BUSINESS NO ASSETS
191	08 09220 8610 0100 901 2	718735 Ontario Ltd. Astoria Hairtlique 764 Upper James	66.66	485.01	.00	.00	551.67	CORPORATION OUT OF BUSINESS NO ASSETS
191	08 09220 8610 0105 901 2	718735 Ontario Ltd. Astoria Hairtlique 764 Upper James	7.92	57.95	.00	.00	65.87	CORPORATION OUT OF BUSINESS NO ASSETS
191	08 09220 8640 0055 901 2	718735 Ontario Ltd. Astoria Hairtlique 764 Upper James	30.14	218.89	.00	.00	249.03	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
192	08 11010 0370 0040 901 2	833985 Ontario Ltd. T/A Empire Discount 1760 Upper James	198.90	936.09	.00	.00	1,134.99	CORPORATION OUT OF BUSINESS NO ASSETS
192	08 11010 0370 0041 901 2	833985 Ontario Ltd. T/A Empire Discount 1760 Upper James	41.48	194.89	.00	.00	236.37	CORPORATION OUT OF BUSINESS NO ASSETS
192	08 11010 0370 0050 901 2	833985 Ontario Ltd. T/A Empire Discount 1760 Upper James	198.90	936.09	.00	.00	1,134.99	CORPORATION OUT OF BUSINESS NO ASSETS
192	08 11010 0370 0051 901 2	833985 Ontario Ltd. T/A Empire Discount 1760 Upper James	41.48	194.89	.00	.00	236.37	CORPORATION OUT OF BUSINESS NO ASSETS
192	08 11010 0370 0070 901 2	833985 Ontario Ltd. T/A Empire Discount 1760 Upper James	284.07	1,336.62	.00	.00	1,620.69	CORPORATION OUT OF BUSINESS NO ASSETS

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CATEGORY "B" - ACCOUNTS ASSIGNED TO
COLLECTION AGENCY

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
192	08 11010 0370 0071 901 2	833985 Ontario Ltd. T/A Empire Discount 1760 Upper James	58.99	277.76	.00	.00	336.75	
TOTAL CATEGORY "B"			37,539.63	142,357.01	.00	.00	179,716.64	

CORPORATION OUT
OF BUSINESS
NO ASSETS

City of Hamilton
Treasury

CATEGORY "C" - ADVISED BY TRUSTEE
BANKRUPTCY/IN RECEIVERSHIP
NO FUNDS AVAILABLE FOR DISTRIBUTION

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
69	01 00915 2050 0020 911 1	Dusan, Musca T/A D M Photography 180 Dundurn St. S.	276.08	1,577.35	.00	.00	1,853.43	Dunwoody Limited Trustee
69	01 00915 2050 0020 911 2	Dusan, Musca T/A D M Photography 180 Dundurn St. S.	41.60	208.16	.00	.00	249.76	Dunwoody Limited Trustee
70	02 01210 2700 0020 901 1	Catterson, Anne Partl Emporium 32 Hess St. S.	25.22	155.51	.00	.00	180.73	Doane Raymond Trustee
71	02 01525 1600 0060 861 6	Grewal, Daljeet c/o The Cheap Boutique 12 John St. North	290.91	298.92	.00	.00	589.83	Scott & Pichell Trustee
72	04 02875 7090 0020 871 5	Dawson, Patrick G & P Fries 382 Avondale St.	1,056.77	1,217.52	.00	.00	2,274.29	Vine & Partners Trustee

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CATEGORY "C" - ADVISED BY TRUSTEE
BANKRUPTCY/IN RECEIVERSHIP
NO FUNDS AVAILABLE FOR DISTRIBUTION

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

<u>Item Number</u> (1)	<u>Business Serial No.</u> (2)	<u>Name and Business Address</u> (3)	<u>Prior Years Penalty & Interest</u> (4)	<u>Prior Years Arrears</u> (5)	<u>Current Years Penalty & Interest</u> (6)	<u>Current Years Arrears</u> (7)	<u>Taxes Outstanding</u> (8)	<u>Remarks</u> (9)
72	04 02875 7090 0020 871 6	Dawson, Patrick G & P Fries 382 Avondale St.	753.36	825.47	.00	.00	1,578.83	Vine & Partners Trustee
73	04 03125 7920 0020 871 4	Osborne, James T/A Goodies 1281 Main St. East	23.22	43.52	.00	.00	66.74	Peet-Marrick Limited Trustee
74	04 03330 8000 0041 911 0	Howard, Kathleen T/A Strategies Type 1557 Main St. East	.60	12.32	.00	.00	12.92	Vine & Partners Trustee
74	04 03330 8000 0041 911 1	Howard, Kathleen T/A Strategies Type 1557 Main St. East	7.50	40.22	.00	.00	47.72	Vine & Partners Trustee
75	04 03330 8000 0080 831 9	445874 Ontario Inc. The Jean Boutique 351 Wilson St. E.	337.45	243.38	.00	.00	580.83	Vine & Partners Trustee

City of Hamilton
Treasury

CATEGORY "C" - ADVISED BY TRUSTEE
BANKRUPTCY/IN RECEIVERSHIP
NO FUNDS AVAILABLE FOR DISTRIBUTION

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
76	05 03810 6750 0070 821 9	441457 Ontario Ltd. Malarky's 226 South Service Rd.	19.74	14.02	.00	.00	33.76	Doane Raymond Trustee
76	05 03840 3340 0070 821 9	441457 Ontario Ltd. Malarky's 226 South Service Rd.	6.58	4.83	.00	.00	11.41	Doane Raymond Trustee
76	05 03850 2470 0070 821 9	441457 Ontario Ltd. Malarky's 226 South Service Rd.	790.56	575.79	.00	.00	1,366.35	Doane Raymond Trustee
76	05 03850 2470 0075 821 9	441457 Ontario Ltd. Malarky's 226 South Service Rd.	101.00	73.24	.00	.00	174.24	Doane Raymond Trustee
77	05 03910 7300 0160 891 2	Danica Cabinets 55 Unsworth Drive	529.19	1,763.65	.00	.00	2,292.84	Peat Marwick Trustee
77	06 07210 3780 0010 901 1	Danica Cabinets 55 Unsworth Drive	49.70	283.87	.00	.00	333.57	Peat Marwick Trustee

City of Hamilton
Treasury

CATEGORY "C" - ADVISED BY TRUSTEE
BANKRUPTCY/IN RECEIVERSHIP
NO FUNDS AVAILABLE FOR DISTRIBUTION

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
78	05 04190 0610 0020 901 0	Hamilton Steel Fabric Leisure Living Centre 186 Parkdale Ave. North	16.44	109.49	.00	.00	125.93	Scott & Pichelli Trustee
79	05 04810 8315 0020 872 4	Falla, Wayne T/A Fall Truck Trailer 30 Milburn Rd.	243.34	422.95	.00	.00	666.29	Joseph Lucas Trustee
80	06 07210 3820 0010 911 0	Woods, Daniel Woods, Jean Lady Muffin Ceramics 424 East 24th	137.04	1,370.65	.00	.00	1,507.69	Vine & Partners Trustee
81	06 07210 5340 0060 871 4	Amendola, Guido Design It Young 200 Hempstead Dr., U.3	138.92	241.79	.00	.00	380.71	Coopers & Lybrand Trustee

City of Hamilton
Treasury

CATEGORY "C" - ADVISED BY TRUSTEE
BANKRUPTCY/IN RECEIVERSHIP
NO FUNDS AVAILABLE FOR DISTRIBUTION

SCHEDULE B - OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

Item Number (1)	Business Serial No. (2)	Name and Business Address (3)	Prior Years Penalty & Interest (4)	Prior Years Arrears (5)	Current Years Penalty & Interest (6)	Current Years Arrears (7)	Taxes Outstanding (8)	Remarks (9)
82	08 09120 1240 0140 821 9	Vic Tanny (Mountain) 2200 Yonge St., Ste. 5	379.61	269.75	.00	.00	649.36	Scott & Pichelli Trustee
TOTAL CATEGORY "C"			5,224.83	9,752.40	.00	.00	14,977.23	

City of Hamilton
Treasury

WARD SUMMARY OF OUTSTANDING BUSINESS TAX ACCOUNTS RECOMMENDED FOR WRITE-OFF IN 1991

<u>Ward</u> <u>(1)</u>	<u>Penalty & Interest</u> <u>(2)</u>	<u>Prior Years</u> <u>Arrears</u> <u>(3)</u>	<u>Penalty & Interest</u> <u>(4)</u>	<u>Current Year</u> <u>Arrears</u> <u>(5)</u>	<u>Taxes</u> <u>Outstanding</u> <u>(6)</u>	<u>Number of</u> <u>Accounts</u> <u>(7)</u>
01	1,709.08	7,683.60	.00	.00	9,392.68	16
02	14,760.72	60,190.92	.00	.00	74,951.64	34
03	5,066.27	16,611.66	.00	.00	21,677.93	37
04	6,968.64	16,203.46	.00	.00	23,172.10	28
05	8,412.44	28,631.51	.00	.00	37,043.95	29
06	1,491.43	7,417.50	.00	.00	8,908.93	11
07	3,012.85	11,222.43	.00	.00	14,235.28	15
08	1,402.22	5,235.07	.00	.00	6,637.29	4
	-----	-----	-----	-----	-----	-----
	42,823.65	153,196.15	.00	.00	196,019.80	174
	=====	=====	=====	=====	=====	=====
TOTALS						

1992 January 23

TAB/ce

E (ii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 29

JAN 30 1992

REPORT TO: Mr. J.D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. Roy Hammel
Acting Treasurer

SUBJECT: 1992 PROPOSED ROAD AND SIDEWALK CAPITAL
IMPROVEMENT PROGRAMME

RECOMMENDATION:

That the additional amount of \$2,536,000 for 1992 Road and Sidewalk Reconstruction Programme which includes 1992 Streetlighting Construction Programme of \$203,000 to a total amount of \$5,500,000 out of the proposed \$8,120,000 be authorized to spend. The City's cost of approving the gross cost of this project of \$5,500,000 is \$3,740,000 to be financed from the 1992 Capital Levy and the expected MTO subsidy is \$1,760,000.

NOTE: The provisional 1992-1996 Capital Budget has a provision for 1992 Road and Sidewalk Reconstruction Programme of \$8,120,000 less provincial subsidy of \$2,598,000 in the amount of \$5,522,000 which has traditionally been funded from the six mill capital levy.


I.R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

The above item would be considered by Transport and Environment Committee on February 3, 1992 as outlined in the enclosed letter of January 27, 1992 from Mr. D. Lobo, Acting Director of Public Works.

Enclosure

c.c. Mr. J. Pavelka, P.Eng., Acting Chief Administrative Officer
Mr. D. Lobo, Acting Director of Public Works
Mr. K. Christenson, Secretary, Transport and Environment Committee

CITY OF HAMILTON
- RECOMMENDATION -

TREASURY	
1992 JAN 27	
ROUTE	REC'D
E.C.M.	
I.R.H.	
T.W.D.	
N.R.A.	✓
T.B.	
G.D.	
A.N.	

DATE: 1992 January 27

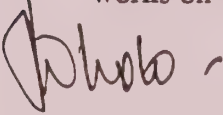
REPORT TO: Mr. K. Christenson, Secretary
Transport and Environment Committee

FROM: Mr. D. Lobo,
Acting Director of Public Works

SUBJECT: 1992 Proposed Road and Sidewalk Capital
Improvement Programme

RECOMMENDATION:

- a) That the Committee request the approval of the Finance and Administration Committee to spend and recommend the method of financing an additional two million, five hundred and thirty-six thousand dollars (\$2,536,000.) to a total of five million, five hundred thousand dollars (\$5,500,000.) out of the proposed eight million, one hundred and twenty thousand dollars (\$8,120,000.) 1992 Road and Sidewalk Capital Improvement Programme which includes two hundred and three thousand dollars (\$203,000.) for the 1992 Streetlighting Construction Programme; and,
- b) That the Commissioner of Transportation/Environmental Services be authorized to undertake the works on behalf of the City of Hamilton once all of the necessary approvals have been received.



D. Lobo,
Acting Director of Public Works

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The City's cost of this project approving the total amount of five million, five hundred thousand dollars (\$5,500,000.) is three million, seven hundred and forty thousand dollars (\$3,740,000.) and the expected MTO subsidy is one million, seven hundred and sixty thousand dollars (\$1,760,000.).

BACKGROUND:

Section 8 of the Fourth Report of the Finance and Administration Committee adopted by Council on 1992 January 28 makes reference to the Transport and Environment Committee Meeting of 1992 January 06. The following resolution was approved by Council:

- a) That the 1992 Streetlight Construction Programme, being part of 1992 Road and Sidewalk Reconstruction Programme, be approved and the Public Works Department be authorized to spend up to two hundred and three thousand dollars (\$203,000.), and this amount be financed from the 1992 capital levy; and,
- b) That the 1992 Road and Sidewalk Reconstruction Programme be approved and the Regional Engineering Department be authorized to spend up to two million, seven hundred and sixty-one thousand dollars (\$2,761,000.) and this amount be financed from the 1992 Capital Levy.

The amount intended for pre-approval was five million, five hundred thousand dollars (\$5,500,000.) to take advantage of the lower tendering costs.

RPM:bk

RPM

cc: I. R. Hammel, Acting City Treasurer
Treasury Department
ATTN: N. Adhya, Manager of Budgets

J. D. Thompson, Secretary
Finance and Administration Committee

E. M. Gill, Senior Director
Roads Department

E (iii)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 30

REPORT TO: Mr. J.D. Thompson, Secretary
Finance and Administration Committee

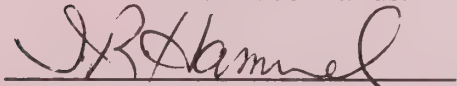
FROM: Mr. Roy Hammel
Acting Treasurer

JAN 31 1992

SUBJECT: 1992 SERVICING EXPENDITURES RELATED TO
SUBDIVISIONS

RECOMMENDATION:

- a) that the item 30(e) of the 14th Report of the Transport and Environment Committee adopted by City Council August 29, 1989 recommending the financing of the City's share of services for "Gagliano Gardens Addition" be rescinded and the fund in the amount of \$133,138.00 be transferred to the Reserve for Services through Unsubdivided Lands for future use;
- b) that the revised City's share of "Gagliano Gardens Addition" subdivision in the amount of \$134,250.00 be financed from the Reserve for City's Share of Services Through Unsubdivided Lands;
- c) that the City's share of "The Gardens of Rymal - Phase 2" subdivision in the amount of \$410,110.80 be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.


I.R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

This item will be considered by the Transport and Environment Committee on February 3, 1992. Please refer to the letter of January 23, 1992 from Mr. E.M. Gill, Senior Director, Road Section, Engineering Department.

Enclosure

c.c. Mr. L. D. Turvey, P.Eng., Commissioner of Transportation Environmental Services
Mr. K. Christenson, Secretary, Transport and Environment Committee

CITY OF HAMILTON

- RECOMMENDATION -

TREASURY	
1992 JAN 27	
ROUTE	REC'D
E.C.M.	
I.R.H.	
T.W.D.	
N.R.A.	
T.B.	
G.D.	
A.N.	

report

DATE: 1992 January 23
 S705-32 P. Strong
 S707-58
 S711-15
 S718-72 M. J. Inrig

REPORT TO: K. Christenson, Secretary
 Transport and Environment Committee

FROM: E. M. Gill, P. Eng.
 Senior Director
 Roads Department

SUBJECT: 1992 Servicing Expenditures Related to Subdivisions

RECOMMENDATION:

- a) That the portion of Item 30 of the Transport and Environment Committee Report 14-89 adopted by City Council on August 29, 1989, which refers to the approval of the engineering schedules, and the City's share of services for "Gagliano Gardens Addition", be deleted; and

133,136.00
- b) That the submitted schedules of works, be adopted for inclusion in the Subdivision Agreements with the Owners for the estimated cost of services in:

CF 528946011

"EDAN HEIGHTS - PHASE 2", Hamilton

City's Share - Nil Subdivider's Share - \$105,377.05

"GAGLIANO GARDENS ADDITION", Hamilton

City's Share - \$134,250.00 Subdivider's Share - \$231,340.00

"KINGSVIEW ESTATES - PHASE 1", Hamilton

City's Share - Nil Owner's Share - \$90,534.00

THE GARDENS OF RYMAL - PHASE 2, Hamilton

City's Share \$410,111.80 Owner's Share \$203,168.74

Cont'd...

1992 Servicing Expenditures Related to Subdivisions

Cont'd...

- c) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreements between the City and the Owners of Edan Heights - Phase 2, Gagliano Gardens Addition, Kingsview Estates - Phase 1 and The Gardens of Rymal - Phase 2 subdivisions.
- d) That approval of the above clauses be subject to the condition that no work be commenced until the Final Plans and Subdivision Agreements have been registered.
- e) That in the event the subdivider wishes to proceed prior to the registration of the Final Plan, they should be allowed to do so at their own risk provided that they enter into a standard agreement for pre-servicing.
- f) That the City's share of costs for services in Gagliano Gardens Addition (\$134,250.00) and The Gardens of Rymal - Phase 2 (\$410,111.80) be approved, and that the Finance and Administration Committee recommend the source of funding for these projects.
- g) That the Senior Director of the Roads Department be authorized and directed to prepare the necessary By-Laws to establish Parts 1, 5 and 8 of Reference Plan 62R-11311 as Public Highways for Arrowhead Drive, Upper Wentworth Street and Bianca Drive, respectively, in order to provide road access to The Gardens of Rymal - Phase 2 subdivision, and surrounding lands.



E. M. Gill, P. Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

"EDAN HEIGHTS - PHASE 2", Hamilton

No City share for services to be installed for Edan Heights - Phase 2. (See Schedule "A")

Cont'd...

1992 Servicing Expenditures Related to Subdivisions

Cont'd...

"GAGLIANO GARDENS ADDITION", Hamilton

The total cost of the City's share for services to be installed in this subdivision is \$134,250.00. Cost sharing is in accordance with standard City policies. The estimated City share for the cost of services to be installed in "Gagliano Gardens Addition" has been broken down as follows.

A portion of the City's share (\$9,644.00) is associated with extra depth asphalt on Eaglewood Drive. These monies are not recoverable in the future. A second portion (\$79,196.00) is associated with reserves to be established on Eaglewood Drive and Bolzano Drive, and these monies will be recoverable in the future. The remaining portion of the City's share (\$45,410.00) is associated with Public School Board lands adjacent to the north limit of Bolzano Drive. Service costs are recoverable in accordance with the present agreements between the City and the School Board.

This subdivision was previously approved in 1989 but the Developer did not proceed at that time. Schedules have been revised to reflect current construction prices and includes provisions for the G.S.T.

"KINGSVIEW ESTATES - PHASE 1", Hamilton

No City share for services to be installed for Kingsview Estates - Phase 1. (See Attached Schedule "A")

"THE GARDENS OF RYMAL - PHASE 2", Hamilton

The total estimated cost of the City's share of services to be approved at this time is \$401,111.80.

A portion of the City's share of costs (\$72,631.51) is associated with both above ground and below ground municipal services which are being installed adjacent to existing City owned parklands (Part 1 of Plan 62R-11210) which front on both Upper Wentworth Street and Vineberg Drive. The costs for the City's share of above and below ground services are non-recoverable in the future.

Another portion of the City's share of costs (\$48,620.30) is associated with extra street lighting and extra depth asphalt on Upper Wentworth Street and Vineberg Drive. There are street lights required on both sides of Upper Wentworth Street, therefore the City is required to pay for half the cost. The City's share for extra street lighting and extra depth asphalt is non-recoverable in the future.

Cont'd...

1992 Servicing Expenditures Related to Subdivisions

Cont'd...

Under present City policy subdividers developing reverse frontage lots in order to conform to approved neighbourhood plans are not required to pay for what would be their share of the cost of curbs and roads along the rear of the reverse frontage lots. In this particular case, since the subdivider is constructing Upper Wentworth Street, a portion of the City's share of costs (\$69,360.81) is associated with the curbs and roadways on the west side of Upper Wentworth Street along the rear of the proposed reverse frontage lots. The City's share for reverse frontage lots is non-recoverable in the future.

The City is also cost sharing for above ground services (\$210,499.18) on Upper Wentworth Street and Bianca Drive adjacent to the lands owned by the Public School Board, north of this development. The costs are fully recoverable and can be collected through the mechanism of 0.30 m reserves when the adjacent lands are developed.

BACKGROUND:

"EDAN HEIGHTS, PHASE 2", Hamilton

Clause 14 (a) of the Twelfth Report of the Planning and Development Committee as adopted by City Council at its meeting held June 26, 1990, recommended that a Subdivision Agreement be entered into between the City and the Owner (603976 Ontario Limited). Phase 2 of this development will result in the creation of thirty-one (31) single family lots and five (5) blocks (See Schedule "A" attached). The 5 blocks are to be added to adjacent lands to create five single family lots when adjacent lands develop. This development is located in the Butler Neighbourhood south of Beaverton Drive. There is no City share for this subdivision.

"GAGLIANO GARDENS ADDITION", Hamilton

Clause 8(b) of the Eighteenth Report of Planning and Development Committee, as adopted by City Council at its meeting held on August 30, 1988, recommended that a Subdivision Agreement be entered into between the City and the owner of the lands to be subdivided. The present owner of these lands is DiCenzo Construction Company Limited.

Copies of the Engineer's estimates for the cost of services, Schedules "E" and "F", and copies of the proposed Final Survey Plan, all as prepared by A. J. Clarke and Associates Limited have been submitted to the Roads Department for approval.

Cont'd...

1992 Servicing Expenditures Related to Subdivisions

Cont'd...

A portion of the City's share (\$9,644.00) is associated with extra depth asphalt on Eaglewood Drive. These monies are not recoverable in the future. A second portion (\$79,196.00) is associated with reserves to be established on Eaglewood Drive and Bolzano Drive, and these monies will be recoverable in the future. The remaining portion of the City's share (\$45,410.00) is associated with Public School Board lands adjacent to the north limit of Bolzano Drive. Service costs are recoverable in accordance with the present agreements between the City and the School Board.

Development of these lands will result in the creation of forty-one (41) lots for residential use and two (2) blocks for future residential use and are located in the Eleanor Neighbourhood.

"KINGSVIEW ESTATES - PHASE 1", Hamilton

The original Draft Plan for "Wisemount Forest Survey - Phase 3" of which "Kingsview Estates - Phase 1" is a part of is located in the Lisgar Neighbourhood west of Upper Kenilworth Avenue south of Mohawk Road. The owner has subsequently phased the original plan of subdivision over the years into smaller blocks of land to be developed as required.

Clause 4 (b) of the Nineteenth Report of Planning and Development Committee as adopted by City Council at its meeting held on September 27, 1983, recommended that a Subdivision Agreement be entered into between the City and the owner of the lands to be subdivided. The present owner is S. Wise Construction Ltd.

The development of "Kingsview Estates - Phase 1" will result in the creation of twelve (12) single family residential lots.

There is no City share for this development.

THE GARDENS OF RYMAL - PHASE 2, Hamilton

Clause 17 (a) of the Twenty-Sixth Report of Planning and Development Committee as adopted by City Council at its meeting held November 14, 1989, recommended that a Subdivision Agreement be entered into between the City and the owner of the lands. The present owner is Benemar Construction Inc. The development of The Gardens of Rymal - Phase 2 will result in the creation of two (2) blocks for multiple residential development (approximately 93 units in total) as well as the extension of Upper Wentworth Street from the south limit of The Gardens of Rymal - Phase 1 to the southern limit of the City of Hamilton.

Cont'd...

1992 Servicing Expenditures Related to Subdivisions

Cont'd...


The estimate of costs have been calculated in accordance with City of Hamilton policy and there will be cost sharing with the City for services installed adjacent to existing City lands, for oversized roadways, extra street lighting on Upper Wentworth Street and for 0.30 m reserves along Upper Wentworth Street and Bianca Drive. The costs for the 0.30 m reserves are fully recoverable by the City when the adjacent lands develop. All other costs shared by the City, in The Gardens of Rymal - Phase 2 are non-recoverable.

As part of The Gardens of Rymal - Phase 2 subdivision, the subdivider is constructing Upper Wentworth Street from "The Gardens of Rymal - Phase 1" to the south City Limits. The extension of Upper Wentworth Street will provide road access to the Phase 2 development.

The Chappel West Neighbourhood Plan has been approved by City Council with reverse frontage lots proposed along the west side of Upper Wentworth Street. Under present City policy, subdividers developing reverse frontage lots in order to conform to approved neighbourhood plans are not required to pay for curbs and roadways on the streets along the rear portion of their lots. In this particular case as the subdivider is constructing the road, it is being recommended that the City cost share for curbs and roadway for the portion of Upper Wentworth Street where reverse frontage lots are proposed.

The City of Hamilton presently owns lands which will become the extension of Upper Wentworth Street, Bianca Drive and the south half of Arrowhead Drive. The City owned lands will link The Gardens of Rymal - Phase 2 with the existing portion of Upper Wentworth Street to the north. Road access to The Gardens of Rymal - Phase 2 and future phases of these lands, can only be obtained through the establishment of Parts 1, 5 and 8 of Reference Plan 62R-11311 as a public highway.

The lands of The Gardens of Rymal - Phase 2 is located south of Rymal Road East on the east side of Upper Wentworth Street in the Chappel East Neighbourhood.

 MJI/PS:kk
attach.

cc: P. Noe-Johnson, City Law Department
cc: R. Hammel, City Treasury Department
cc: H. Smith, Survey Section, Roads Department
cc: J. Thompson, Secretary
Finance & Administration Committee

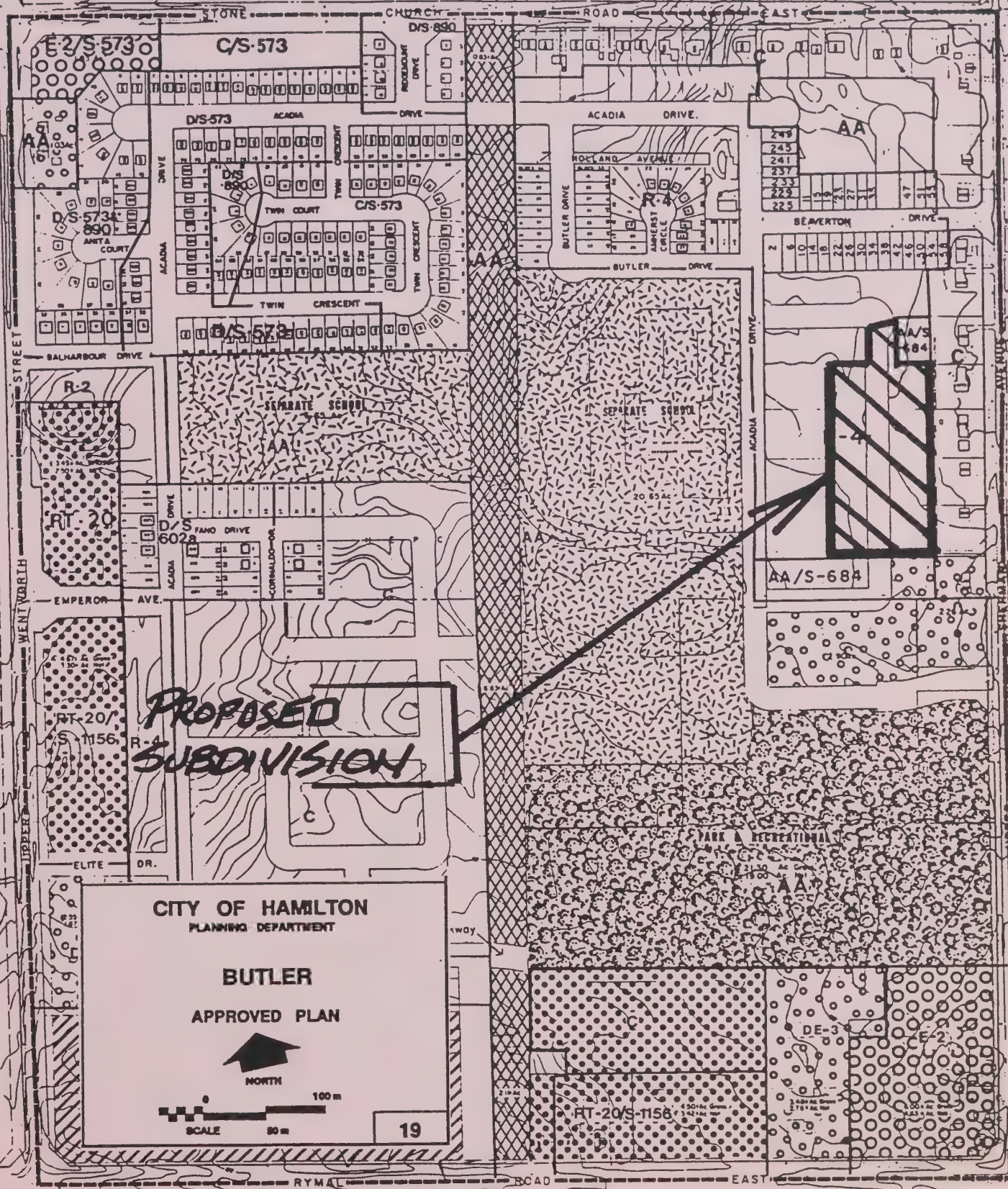
1992 SUBDIVISION EXPENDITURE SUMMARY

CITY'S SHARE
OF EXPENDITURES

# OF LOTS and LOCATION	SUBDIVISION AGREEMENT AUTHORIZATION	DESCRIPTION OF WORKS	0.3 METRE RESERVE COSTS	NON-RECOVERABLE & OVERSIZED COSTS	TOTAL CITY'S SHARE	TOTAL SUBDIVIDER'S SHARE	TOTAL SERVICING COSTS
AN HEIGHTS - PHASE 2 19976 ONTARIO LIMITED Ex Engineering Ltd. J. Clarke, O.L.S. Dept File: S705-32)	Item 14(a) P.D. 12-90 90-06-26	Catch Basins & Connections Curbs & Sidewalks Finished Roads Dead End Barricade Street Lighting	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$0.00	\$105,377.05	\$105,377.05
ELIANO GARDENS ADDITION CENZO CONSTRUCTION MPANY LIMITED J. Clarke & Associates Ltd. J. Clarke, O.L.S. (Dept File: S707-58)	Item 8(b) P&D 18-88 88-08-30	Catch Basins & Connections Curbs & Sidewalks Finished Roads Dead End Barricade Street Lighting	\$34,249.00 \$30,121.00 \$53,727.00 \$2,009.00 \$4,500.00	\$0.00 \$0.00 \$9,644.00 \$0.00 \$0.00	\$134,250.00	\$231,340.00	\$365,590.00
NGSVIEW ESTATES - ASE 1 WISE CONSTRUCTION MITED J. Clarke & Associates Ltd. J. Clarke, O.L.S. (Dept File: S711-15)	Item 2 P&D 15-83 83-10-18	Catch Basins & Connections Curbs & Sidewalks Finished Roads Dead End Barricade Street Lighting	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$0.00	\$90,534.00	\$90,534.00
E GARDENS OF RYMAL - ASE 2 ENEMAR CONSTRUCTION INC. dney W. Woods Engineering Inc. J. Balaban, O.L.S. (Dept File: S718-72)	Item 17 P&D 26-89 89-11-14	Catch Basins & Connections Curbs & Sidewalks Finished Roads Dead End Barricade Street Lighting Fencing Seeding/Sodding Sewers Watermains	\$21,737.59 \$63,608.92 \$83,206.54 \$844.73 \$9,000.00 \$32,101.40 \$0.00 \$0.00 \$0.00	\$4,197.96 \$30,308.83 \$100,510.51 \$0.00 \$16,919.70 \$2,207.55 \$5,200.00 \$14,911.77 \$16,356.30	\$401,111.80	\$203,168.74	\$604,280.54
TOTALS:			\$335,105.18	\$200,256.62	\$535,361.80	\$630,419.79	\$1,165,781.59

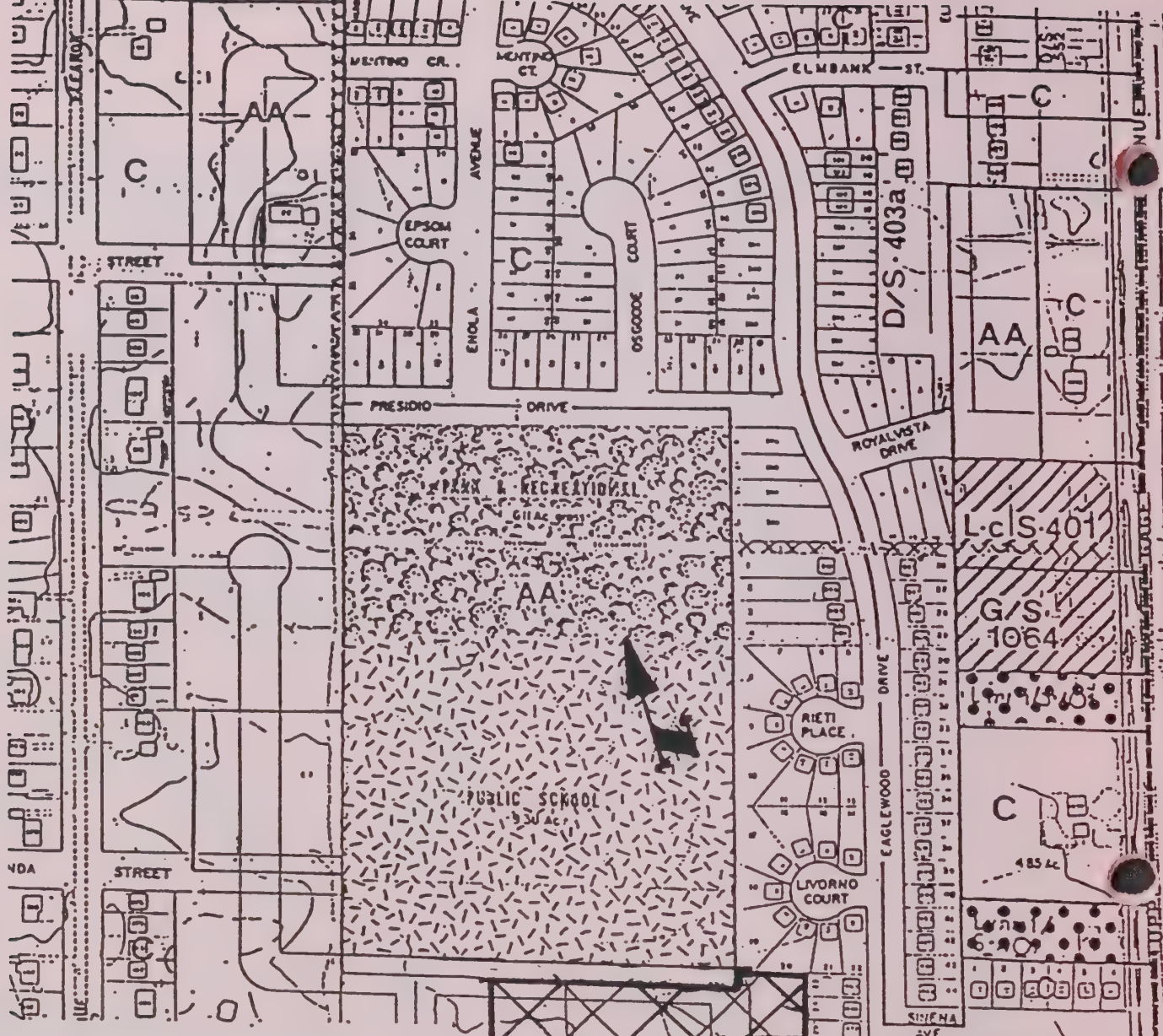
SCHEDULE "A"

* OVERSIZING EXPENDITURES are Non-Recoverable
* 0.3 METRE RESERVE EXPENDITURES are Fully Recoverable



KEY PLAN FOR "EDAN"

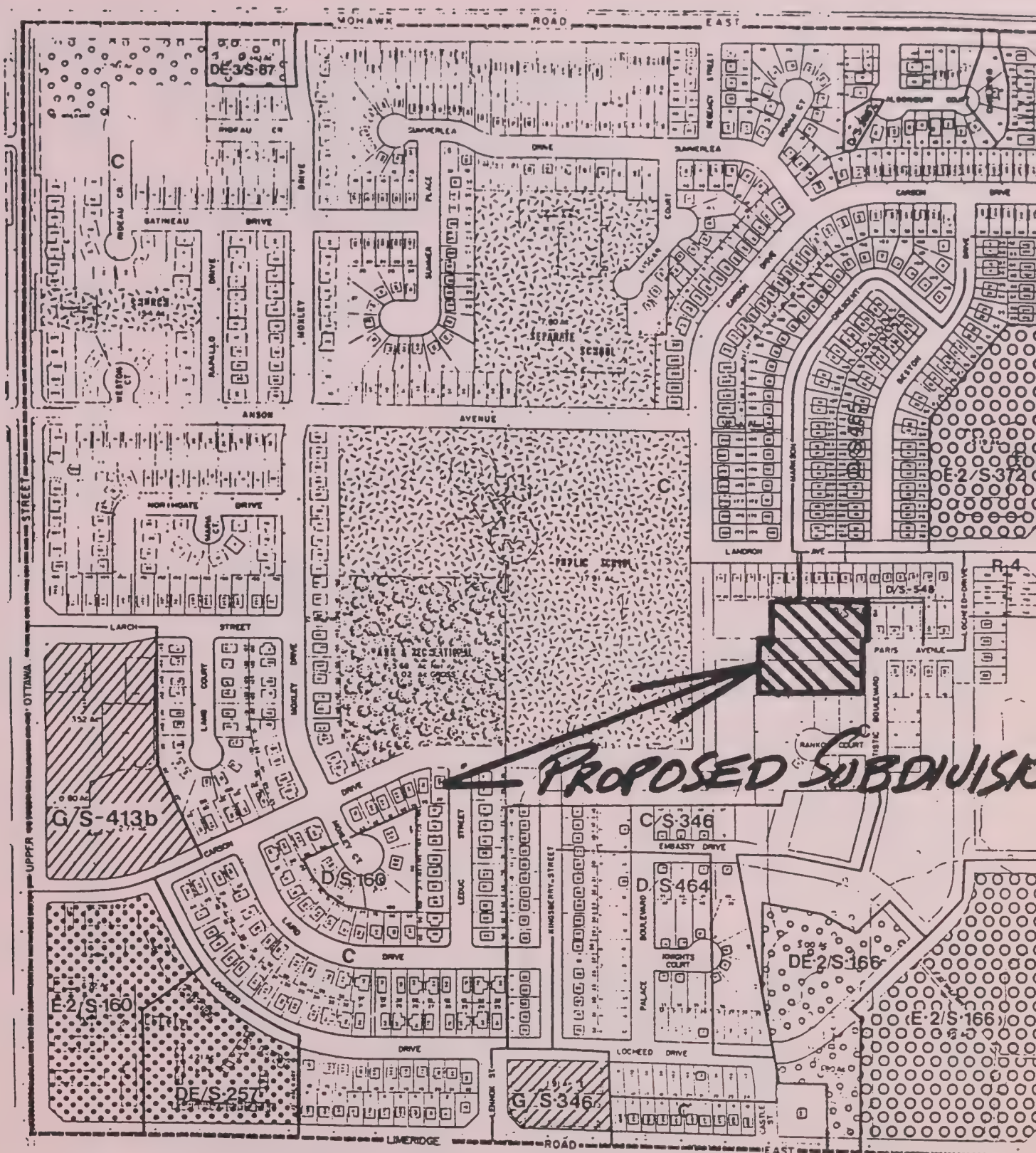
NOTE THIS IS A GUIDE PLAN ONLY AND IS SUBJECT TO CHANGE FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH



GAGLIANO GARDENS ADDITION



KEY PLAN FOR "GAGLIANO GARDENS ADDITION"



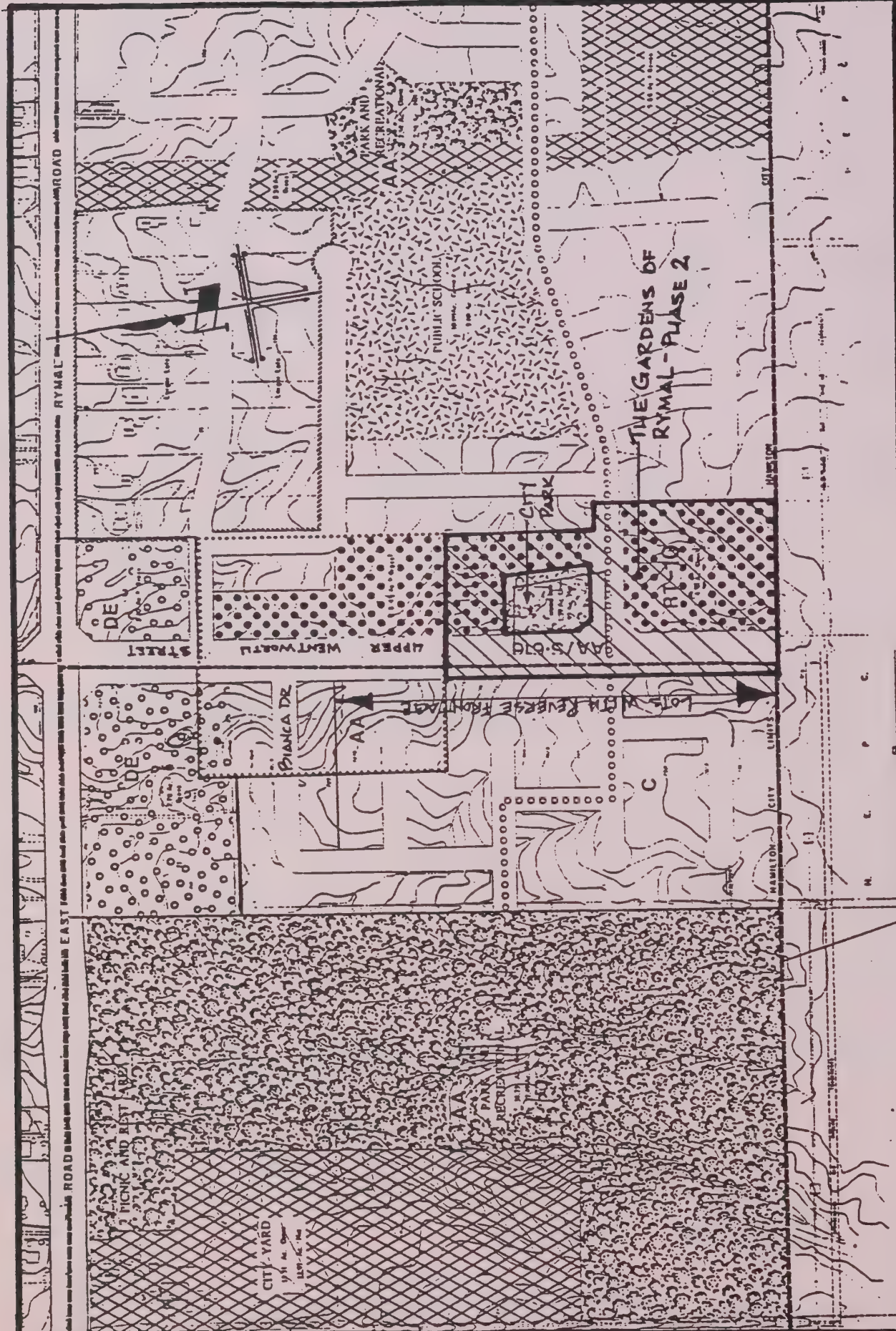
"KEY PLAN" FOR
KINGSVIEW ESTATES-
PHASE ONE

CITY OF HAMILTON
PLANNING DEPARTMENT

LISGAR

APPROVED PLAN





KEY PLAN

N.T.S.

CHAPPEL WEST

CHAPPEL EAST

CITY OF HAMILTON
- RECOMMENDATION -

E (iv)

DATE: 1992 January 31

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. I. R. Hammel
Acting Treasurer

SUBJECT: *FUNDING ALTERATIONS TO MOUNTAIN SKATING CENTRE*

RECOMMENDATION:

That the estimated cost of \$32,900 for facility alterations to the Mountain Skating Centre to permit the operation of concessions at this location, be charged to the Mountain Arena Twinning Project, Centre No. CF 709041011.

Roy Hammel

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- the balance in the capital project account is currently \$101,380.

BACKGROUND:

The Parks & Recreation Committee will be considering this issue at their meeting of Tuesday, February 4, 1992.

CITY OF HAMILTON
- RECOMMENDATION -

2.

DATE: 1992 January 29

REPORT TO: Mr. Kevin Christenson, Secretary
Parks and Recreation Committee

FROM: Mr. Bob Sugden
Director of Culture and Recreation

Mr. D.W. Vyce
Director of Property

SUBJECT: Mountain Arena Twinning/25 Hester Street
Alterations to Provide for Concessions

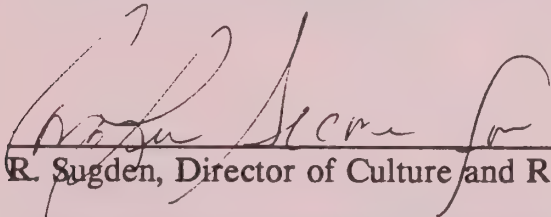
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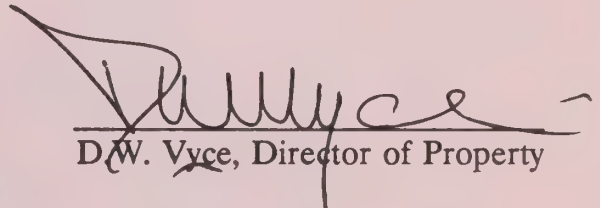
JAN 29 1992

CITY CLERKS

RECOMMENDATION:

- a) That approval be given for facility alterations to the Mountain Skating Centre at 25 Hester Street at an estimated cost of \$32,900.00. The alterations would permit the Department to operate the concessions at this location.
- b) That the Finance and Administration Committee be requested to recommend the method of financing for these alterations.


R. Sugden, Director of Culture and Recreation


D.W. Vyce, Director of Property

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Estimated Cost of Additions

1.	Concession serving counter and door	8,300.
2.	Concession counters (3) to code	6,200.
3.	Electrical to accommodate	5,400.
4.	Plumbing to accommodate	4,700.
5.	4 tables with chairs (patron use)	3,200.
6.	Access doors (mechanical and storage rooms)	5,100.
Total		\$32,900.

1992 annual operating costs including staffing will be recovered while realizing a net profit margin of \$10,000./year.

BACKGROUND:

1. The Mountain Arena Twinning Project was approved by City Council in July 1990 for a total project funding of \$2,011,586.00. The current balance of unexpended funds within the project account as of December 6, 1991 amounts to \$103,945.83 to be used for improvements to the facility including revenue-user needs.
2. The Design-Build Facility was built to satisfy the requirements of the Ontario Building Code and the Hamilton Zoning By-laws, but did not provide for concessions.

The concession improvements are to satisfy the particular needs of the Program Department and Facility. These additions are needed to help the proper functioning of this facility and provide an essential quality service to our patrons.

3. The warranty period is for two years, starting from the date of substantial completion of November 9, 1990. Before proceeding on any of the items in the list, approval will be obtained from the Design-Build Contractor, to ensure that the additional work will not void any portion of this two year warranty.
4. This is an extremely busy facility and revenues will be at a higher level than other arenas. The current vending machines are constantly empty and would be used for supplementary services only.
5. Operating equipment will be purchased within the current operating budget.

c.c. Mr. J. Pavelka, Acting Chief Administrative Officer
Mr. R. Hamel, Acting Treasurer
Ms. P.N. Johnson, City Solicitor
Mr. R. Martiniuk, Manager, Architectural Division
Mr. G. Smith, Manager of Property & Technical Services

E (v)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 31

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. I. R. Hammel
Acting Treasurer

SUBJECT: **PRIORITY PARKS ACQUISITIONS - VARIOUS
LOCATIONS**

RECOMMENDATION:

That the Neighbourhood parks acquisition cost in the amount of \$189,662.78 be financed from the Reserve for Park Lands Account Centre CH 00201 as follows:

Crown Point West	\$ 81,682.21
Corktown	2,333.52
Stinson	90,834.42
Keith	<u>14,812.63</u>
	<u>\$189,662.78</u>



I.R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

This item will be considered by the Parks and Recreation Committee on February 4, 1992. Please refer to the letter of January 30, 1992 from Mr. D. Vyce enclosed.

Enclosure

CITY OF HAMILTON
- RECOMMENDATION -

TREASURY		
1992 JAN 31		
ROUTE	REC'D	
E.C.M.		
I.R.H.		
T.W.D.		
N.R.A.		
T.B.		
G.D.		
A.N.		

DATE: 1992 January 30

REPORT TO: Mr. Kevin Christenson, Secretary
Parks and Recreation Committee

FROM: Mr. D. W. Vyce
Director of Property

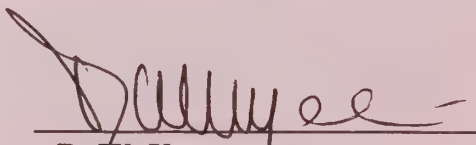
SUBJECT: Transfer of Funds
Priority Parks Acquisitions

RECOMMENDATION:

- a) That the overdraft in the Account Centre CH 00201 regarding acquisition of land for neighbourhood parks be approved.

<u>Account</u>	<u>Neighbourhood</u>	<u>Amount</u>
628650003	Crown Point West	\$ 81,682.21
628650007	Corktown	\$ 2,333.52
628650008	Stinson	\$ 90,834.42
628650010	Keith	\$ 14,812.63
TOTAL:		\$189,662.78

- b) That the Finance and Administrative Committee be requested to recommend the method of financing.



D. W. Vyce

30 January 1992
Parks and Recreation Committee
Page 2

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The transfer of these funds to the above noted accounts will allow for completion of the 1991 acquisitions made in association with the neighbourhood priority parks and eliminate the deficits in each account.

c.c. Mr. I. R. Hammel, Acting City Treasurer

Attention: Mr. Grant Keith

✓ Attention: Mr. N. Adhya

Mr. V.J. Abraham, M.C.I.P., Director of Local Planning

Attention: Mr. Bill Janssen

Mr. D. Lobo, Acting Director of Public Works

Attention: Mr. Bob Chrystian

F

CITY OF HAMILTON
- RECOMMENDATION -

JAN 29 1992

DATE: 1992 January 29

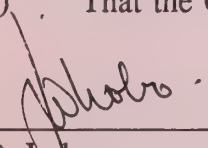
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo,
Acting Director of Public Works

SUBJECT: Public Works Department/Community Renewal
Section, Application for Funding Availability Under
the Job Development Grant Section 25 Programme

RECOMMENDATION:

- a) That the Community Renewal Section of the Public Works Department be authorized to make application to the Federal Government, Canadian Job Strategies Department, for funds under the Job Development Grant and Section 25 Programme totalling approximately one hundred and fifty-five thousand dollars (\$155,000.) to hire temporary full-time staff for placement in a central Business Improvement Area (B.I.A.) office to foster a partnership amongst the B.I.A. and the City of Hamilton, also to assist the B.I.A.'s Board of Management in delivery of services; and,
- b) That the Mayor and City Clerk be authorized to sign the Federal/Municipal Agreement for the purpose of implementing the Job Development Grant Section 25 Programme; and,
- c) That the Acting City Treasurer be authorized to execute the financial administration of the Job Development Grant Section 25 Programme; and,
- d) That the City Solicitor be authorized to execute the agreement referred to in (b).



D. Lobo,
Acting Director of Public Works

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

There is no financial contribution from the Corporation of the City of Hamilton. A contribution of approximately eight hundred dollars (\$800.) per term of 46 weeks from each of the four B.I.A.'s for a total cost of three thousand, two hundred dollars (\$3,200.) may be requested.

BACKGROUND:

A total grant contribution from the Federal Government will be approximately one hundred and fifty-five thousand dollars (\$155,000.) with no financial contribution from the City. We anticipate the following B.I.A.'s to take part in the this Programme:

Westdale Village B.I.A.
Concession Street B.I.A.
Barton General B.I.A.
Main Street West Esplanade B.I.A.

Currently, due to limited financial resources, these B.I.A.'s presently have no staff resources.

This Grant would provide the following staff to them:

Project Manager
Policy and Procedure Administrator
Market Researcher
Editor
Communications Officer
Media and Advertising Co-ordinator
Events Co-ordinator

Together these seven staff will provide a variety of services such as administration, marketing and/or promotional activities to improve the profile and effectiveness of the B.I.A.'s.

The objective of the Job Development Grant Section 25 Programme is to assist individuals in receipt of social assistance to participate effectively in the labour market through training and work experience.

The objective of UI Job Creation Section 25 is to link up unemployed workers with businesses and organizations. This helps workers maintain their skills and helps businesses complete projects. Projects must ordinarily create at least three new jobs, last between six and 52 weeks and not displace any existing employees or volunteers. Projects should have objectives which can be completed in a specific time frame.

The following are eligible employers: businesses, municipalities, individuals and non-profit organizations.

JP:bk

JP

cc: Ms. P. Noe Johnson, City Solicitor
Law Department

Mr. I. R. Hammel, Acting City Treasurer
Treasury Department

Mr. L. Borrelli, Recruiting Assistant
Human Resources Centre

Mr. D. Farquhar, Manager of Administration
Public Works Department

G

CITY OF HAMILTON
- RECOMMENDATION -

JAN 28 1992

DATE: 1992 January 27

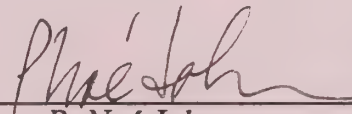
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Ms. P. Noé Johnson
City Solicitor

SUBJECT: LICENCE BY-LAW FINES

RECOMMENDATION:

That the attached by-law, which amends various licensing by-laws listed therein, to increase the fine provisions to the current provincial maximums, be enacted.



P. Noé Johnson

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See below.

BACKGROUND:

The attached by-law amends various licensing by-laws, bringing the penalty provisions up to date with the maximum fines allowed under provincial law. The Adult Entertainment By-law (No. 79-144), and the Body Rub Parlour By-law (No. 76-32), are governed by the Municipal Act with respect to penalty, wherein the maximum fines have been increased from \$10,000.00 and \$25,000.00 for the individual, to \$25,000.00 and \$50,000.00 for the corporation. The City of Hamilton Licensing Code, 1979 (No. 79-323), the Fireworks By-law (No. 90-198), and the Second-Level Lodging House By-law (No. 80-259) are all governed by the Provincial Offences Act with respect to penalty. The maximum fines thereunder have been increased from \$2,000.00 to \$5,000.00. While fines are in the discretion of the Court, maximum amounts are rarely awarded. The purpose of the amendment is a housekeeping change, to reflect current provincial penalties in the various licence by-laws.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

To Amend Various Licensing By-laws Respecting:

FINES

WHEREAS The Corporation of the City of Hamilton passed By-laws No. 76-32, 79-144, 79-323, 80-259, and 90-198 respectively to licence and regulate various activities, and to provide fines for the breach of such by-laws;

AND WHEREAS it is desirable to update the various by-laws referred to, so that they now provide for the maximum fines allowed under provincial law;

AND WHEREAS the Municipal Act, R.S.O. 1990, Chapter M.45, section 329 now provides that fines for by-laws passed under sections 224 and 225 allow maximum penalties of \$25,000.00 upon conviction of a person, and \$50,000.00 on conviction of a corporation, applicable to Body Rub and Adult Entertainment Parlour By-laws;

AND WHEREAS section 320 of the Municipal Act, which applies to by-laws of the municipality dealing with fireworks, lodging houses, and the various activities licensed under the City of Hamilton Licensing Code, 1979, provides only that breach of a municipal by-law is an offence, and the Provincial Offences Act, R.S.O. 1990, Chapter P.33, now supplies the penalty for such offences, currently being a maximum fine of \$5,000.00;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 79-323, being the City of Hamilton Licensing Code applying to various activities, is amended by revoking Section 18, and substituting the following as section 18:

"18. Every person who contravenes any provision of this by-law or of a schedule hereof, and every director and officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence, and upon conviction is subject to a fine not exceeding \$5,000.00, in addition to the costs of prosecution."

2. By-law No. 80-259, being the Second-Level Lodging Houses By-law, is amended by revoking Subsection 49(1), and substituting the following as subsection 49(1):

"49(1) Every person who contravenes any provision of this by-law, and every director and officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence, and upon conviction is subject to a fine not exceeding \$5,000.00, in addition to the costs of prosecution."

3. Subsection 24(1) of By-law No. 79-144, being the Adult Entertainment Parlour By-law, is amended by deleting the amount "\$10,000.00" in the fourth line, and replacing it with the amount "\$25,000.00".

4. Subsection 24(2) of By-law No. 79-144 is amended by deleting the amount "\$25,000.00" in the third line, and replacing it with the amount "\$50,000.00".

5. By-law 76-32, being the Body Rub Parlour By-law, is amended by revoking section 24 in its entirety, and substituting the following as section 24:

"24. (1) Every person who contravenes any provision of this by-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and on conviction is liable to a fine not exceeding \$25,000.00 or to imprisonment for a term not exceeding one year, or to both.

(2) Every day of default of compliance with any provision of this by-law shall constitute a separate offence.

(3) Where a corporation is convicted of an offence under subsection (1), the maximum penalty that may be imposed on the corporation is \$50,000.00 and not as provided therein."

6. By-law No. 90-198, being the Fireworks By-law, is amended by revoking Section 31, and substituting the following as section 31:

"31. Every person who contravenes any provision of this by-law, and every director and officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence, and upon conviction is subject to a fine not exceeding \$5,000.00, in addition to the costs of prosecution."

7. In all other respects, By-laws No. 76-32, 79-144, 79-323, 80-259, and 90-198, as may have been otherwise previously amended, are hereby confirmed without change.

8. This by-law comes into force and effect on the date of enactment.

PASSED this day of

A.D. 1992.

City Clerk

Mayor

(1992)

H

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 29

REPORT TO: J. D. Thompson, Secretary
Finance and Administration Committee

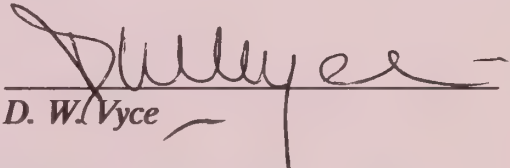
FROM: D. W. Vyce
Director of Property

JAN 30 1992

SUBJECT: Office Improvements, Equipment and Furnishings

RECOMMENDATION:

- i) That authorization be given to the Director of Property to undertake physical improvements in the Aldermen's Offices, which include painting and decorating, and the purchase of the equipment and furnishings requested by Aldermen (workstations, chairs, filing cabinets, shelving) at an estimated cost of \$8,500.00
- ii) That the cost of the improvements to Aldermen's Offices be charged to Account No. CF 319041002 - Accommodation Requirements - City Hall.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Funding is available in Capital Account No. CF 319041002 - Accommodation Requirements - City Hall.

BACKGROUND:

I have received a request to undertake improvements to the Aldermen's Offices which includes the application of paint and wallpaper in some areas, small repairs to walls, and the purchase of three computerized workstations, assorted chairs, shelving, filing cabinets and a coatrack.

A Capital Budget Account for Accommodation Requirements - City Hall, has been utilized consistently in the past to fund similar improvements to the building and the purchase of equipment as required.

1992 January 29

Finance and Administration Committee

Page 2

c.c. J. J. Schatz, Deputy City Clerk

R. Hammel, Acting City Treasurer

T. Bradley, Manager of Purchasing

R. Swan, Manager, Building Operations & Maintenance

(2719)



CITY COUNCIL
HAMILTON, CANADA

Alderman Don Ross

Chairman - Economic C

Chairman - Freeway Ste

Vice-Chairman, Finance & Administration

I

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 387-1842 - WARD 8

January 24, 1992.

JAN 28 1992

TO: John Thompson,
Secretary,
Finance and Administration Committee.

FROM: Don Ross,
Chairman,
Finance and Administration Committee.

SUBJECT: AGENDA - FINANCE AND ADMINISTRATION COMMITTEE MEETING.

Would you please ensure that the attached ... "Chinese Open Cities Project ...
is placed on the Agenda of the next Finance and Administration Committee Meeting.

Thanks.

Don Ross,
Chairman,
Finance and Administration Committee.

DR:dd

Attach.

000 2 8 1997

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TO:	Alderman D. Ross Chairman Finance and Administration Committee	YOUR FILE:
FROM:	Mr. J. D. Thompson, Secretary Finance and Administration Committee	OUR FILE: PHONE:
SUBJECT:	<u>Chinese Open Cities Project</u>	DATE: 1992 January 21

Attached for your information and appropriate action is a copy of a letter dated 1991 December 13 from FCM dealing with the subject project which has been forwarded to the City of Hamilton as the City has a formal twinning arrangement with Ma,anshan, China.

You will recall we discussed this letter briefly at our Agenda Review Meeting on Friday morning January 17 at which time you indicated that you wanted to discuss the matter with Mayor Morrow to determine whether the letter should be received for information only or referred to the Hamilton Mundialization Committee for comment and/or recommendation.

By way of background information, I would advise that City Council at its meeting held 1989 June 27 approved that the planned visit of the Chinese Delegation from Ma,anshan, China which was scheduled to take place in October 1989 be suspended, and further that a review of the twinning arrangements between the City of Hamilton and Ma,nshan, China be undertaken in consultation with the Mundialization Committee and the Hamilton Chinese community.

Meetings were subsequently held with members of the Hamilton Mundialization Committee and representatives of the Hamilton Chinese community. As a result of those meetings, City Council at its meeting held 1989 November 14 on the recommendation on the Co-ordinating Committee approved that the City of Hamilton maintain the suspension of official delegation exchanges with China and that such suspension be reviewed in four months. The Federation of Canadian Municipalities was informed of City Council's action in this matter.

At it meeting held 1990 September 25, City Council approved that it maintain and develop people-to-people and city-to-city linkages furthering mutual understanding and dialogue with the People's Republic of China and that official delegations and exchanges with our twin city of Ma,nshan continue. Consequently the resolution of City Council of 1989 November 14 suspending official delegation exchanges and imposing a suspension, was rescinded.

The Council resolution of 1990 September 25 renewing relationships is consistent with the Canadian Federal Government's formal policy towards China, the Federation of Canadian Municipalities and other major Canadian Cities. City Council also agreed to officially recognize the delegation from Ma,nshan which arrived in September 1990.

A handwritten signature in cursive script, appearing to read "Carol Thompson".

Attachment

FCM

RECEIVED

DEC 23 1991

December 13, 1991

CITY CLERKS

Mr. E.A. Simpson
City Clerk
The City of Hamilton
City Hall, 71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Simpson:

The Chinese Open Cities Project is now preparing for its final months of activity under the current contract, which expires August 31, 1992. As the project is based on a fiscal year beginning April 1, we are currently planning the activities for the April 1 - August 31, 1992 period. Preparations are underway for the continuation of this project for the next five years. It is anticipated that the planning and negotiation process will be completed so that the second contract will begin on September 1, 1992. With this in mind we are making tentative plans for activities during the September 1, 1992 - March 31, 1993 period.

We understand that your linkage has not been active for several years. It is our hope that the the City of Hamilton will have the opportunity to take advantage of the Chinese Open Cities Project in the remainder of Phase 1, or during Phase 2.

In order to plan effectively for both the remainder of this contract and the initial months of a Phase 2 we would appreciate receiving from you an estimate of activities for your linkage during the period from April 1, 1992 to March 31, 1993. This estimate should outline anticipated activities, the timing of these activities and the expected dollar value of the requested support from this project.

.../2



Federation of
Canadian
Municipalities
Fédération
canadienne des
municipalités

24, rue Clarence Street
Ottawa, Ontario K1N 5P3
(613) 237-5221
Fax / Télécopieur: (613) 237-2965
Telex: 053-4451
International Office,
Bureau international (613) 563-3506
Fax / Télécopieur: (613) 563-2051

Councillor **Doreen Quirk**
Markham, Ontario
President
Président

Le maire **Margaret Delisle**
Sillery (Québec)
Première vice-présidente
First Vice-President

Alderman **Ron Hayter**
Edmonton, Alberta
Second Vice-President
Deuxième vice-président

Mayor **Audrey Moore**
Castlegar, British Columbia
Third Vice-President
Troisième vice-présidente

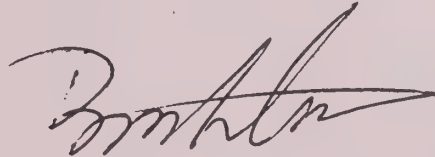
Councillor **Ray O'Neill**
St. John's, Newfoundland
Past President
Président sortant

James W. Knight
Executive Director
Directeur général

I would like to request that, for the sake of continuity, one person be assigned to communicate with the Chinese Open Cities Project for all matters. It would be greatly appreciated if you could let us know the name and direct telephone number of this person, so that we may amend our files accordingly.

It has been quite a while since the City of Hamilton has been involved in the Chinese Open Cities Project. We look forward to assisting you on this important project should you wish to re-activate your linkage.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'Brock Carlton', with a long horizontal flourish extending to the right.

Brock Carlton
Project Director
Chinese Open Cities Project

**THE HAMILTON SPCA
COMMUNITY SUPPORT**

The Hamilton SPCA, like your local hospital, social-service agency, cultural institution or college, is an essential part of the community, and like them, it needs your support to serve you better.

Unlike the multitude of necessary institutions and services responding to human needs, the SPCA is the only "family" that is available to animals in need.

The Hamilton SPCA is a necessary and desirable component of a compassionate society. Animals, therefore, cannot be a "throw away" commodity.

Your support will insure that basic humane treatment is provided. The Hamilton SPCA must raise a minimum of \$2,500,000 through a public appeal to complete the total financing package of \$7,000,000 for its urgently needed new facility. The balance of funds will be offset by the City of Hamilton and other funding sources.

We need your help as campaign volunteers and we need your financial contributions. All kinds of donations are welcome: 3-to-5 year pledges, cash gifts, endowments, deferred gifts; whatever you can give and however you can give.

Humane treatment for animals is everyone's responsibility. It is an expression and demonstration to your children of your understanding of helpless creatures.

For More Information, Contact:

**Mr. Ted Fauteux
Manager**

**The Hamilton SPCA Building Fund
658 Parkdale Ave. North
Hamilton, Ontario L8H 5Z4**

Tel: (416) 547-9707 Fax: (416) 547-1598

3

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 29

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. Roy Hammel
Acting Treasurer

JAN 30 1992

SUBJECT: THEATRE TERRA NOVA

RECOMMENDATION:

That the monthly mortgage payments due the City from Theatre Terra Nova be reduced for a period of one year commencing September 1, 1991 from the present amount of \$1,339.00 to a new amount of \$100.00 per month on the following conditions:

- i) that the borrower enters into a Mortgage Amending Agreement with the City;
- ii) that the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment for a maximum of one year in order to provide the opportunity to satisfy the property tax arrears obligations with the City.
- iii) that the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;
- iv) that the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms.

Roy Hammel

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- this was an interest-free loan by the City, and the extension would mean further loss of interest to the City of several hundred dollars.
- probable result of alternative of not granting extension is loss to City on the sale of the property.

BACKGROUND:

City Council approved of an interest-free loan of \$225,000.00 to Theatre Terra Nova in August 1990, which provided for payments of \$1,339.00 per month for 14 years commencing one year after the loan, i.e., September 1991.

The loan was for the purpose of buying the Playhouse Theatre on Sherman Avenue North in order to provide a more suitable home for the Theatre. Unfortunately, it appears that several large repairs were needed in 1991 in order to put the Theatre in shape for performances, and in addition a new Board of Directors was formed during 1991. This situation contributed to a lack of revenue source and consequently a very precarious financial picture was presented when the first payment to the City became due in September 1991.

The Committee should also be aware of two other situations that have a bearing on the finances of Theatre Terra Nova: 1) property taxes are in arrears in the amount of \$5,800, and 2) this group has a grant request before the Region in the total amount of \$45,000 representing capital request of \$8,000 and operating at \$37,000; I understand the grant request are to be considered by the Region next week.

Enclosed is a copy of the letter from Ms. Jessica Davenport, Board of Directors of Theatre Terra Nova, together with other information applicable to the members of the Board and plans for the future. Also enclosed are reports from the Law and Real Estate Departments commenting on the alternatives to this extension.

Because of the present general economic conditions, the unexpected problems that the Theatre encountered during the first year after the loan, and the specific marketability prospects of the property, I am prepared to recommend an extension of one year on the loan term and a reduction to the nominal amount of \$100.00 for a specified period.

c.c. Jessica Davenport
Board of Directors, Theatre Terra Nova

D. A. Powers
Law Department

M. J. Watson
Property Department



Theatre Terra Nova

177 Sherman Avenue North
Hamilton, Ontario L8L 6M8

(416) 544-2722

November 13, 1991

Mr. Edward Matthews
City Treasurer
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

TREASURY		
1991 NOV 13		
ROUTE		REC'D
E.C.M.		
I.R.H.		
T.W.D.		
N.R.A.		
T.B.		
G.D.		
A.N.		

Dear Mr. Matthews:

I am writing to you on behalf of Theatre Terra Nova which is located at the Playhouse Theatre, 177 Sherman Street North.

In 1990 the City of Hamilton generously demonstrated its support for the performing arts by granting an interest-free \$250,000.00 loan to Theatre Terra Nova toward the purchase of the Playhouse Theatre. Prior to receiving the grant, the Theatre Company had operated from an old church building at the corner of Dundurn and Main Street. The impending sale of the property necessitated finding another location for the Theatre and with the help of the City of Hamilton, the Playhouse Theatre was selected. 225,000

Despite continuing critical acclaim for Terra Nova's artistic productions, serious financial difficulties have arisen since the purchase was made. Despite a one-year respite from loan payments to the City, the company is still in a precarious financial position. However, several positive things have occurred. Cosmetic improvements to the Theatre have been made through the use of volunteers and gifts-in-kind of paint supplies. Also the former Board of Directors has been completely replaced by an entirely new Board who have proven expertise to bring to the revitalizing of Theatre Terra Nova. This Board is dedicated to fund development through soliciting donations from individuals and corporations, seeking performance sponsorships and applying for grants from relevant foundations; directions not previously pursued by the founders of Theatre Terra Nova. We will, of course, continue to seek funding at a provincial level through the Ministry of Culture and Communication and the Ontario Arts Council; the Federal level through the Canada Council; and the local level through our application for a Regional grant.

In order to give our new Board of Directors time to implement their plans, we are therefore requesting the opportunity to reduce our loan payments, which began in September of this year, to a token payment of \$100 a month for a one year period. Hopefully this financial breathing space will allow us to resume producing plays in order to maintain our artistic integrity and to put our financial situation in order.

We are enclosing our recently produced financial statement and material relevant to the history of the Theatre Company.

Should you require further information regarding the Theatre or our request, please contact me at 120 Duke Street, Suite 1106, Hamilton, Ontario, L8P 4T1 (telephone 528-0440).

Yours very truly,

A handwritten signature in cursive script that reads "Jessica Davenport".

(Ms) Jessica Davenport

JD/ma

BOARD MEMBERS

President - Raymond Gamble, Clothing store owner
544-72 James Street North
Hamilton

Past President - Shawn Selway, Playwright
444 Mary Street
Hamilton

Treasurer - Paul Nafekh, Accountant
148 Florence
Hamilton

528-9807 home

*544-6687 office
Philipps Environment*

Secretary - Jessica Davenport, retired, former Director of Public
Relations and Fund Development, Children's Aid Society
120 Duke Street, Suite 1106
Hamilton

Members at Large

Ms. Mona Nahmias, Drama teacher with Halton Board, Director with
Waterdown Little Theatre and McMaster Summer Drama Festival
37 Dromore Crescent
Hamilton

Ms. Tara LaRose, Secretary, former part-time General Manager for
Theatre Terra Nova
430 Pearl Street, #303
Burlington

Mrs. Lillian Vine, Conference Co-ordinator, Canadian Occupational
Health and Safety Department, long time arts supporter, former Board
of Education Trustee

Ms. Adele Barrett, Interior Designer, Barrett Interiors, founding member of
Creative Youth Theatre.
15 Glenwood Crescent
Hamilton

Paul Rivers, McMaster University student in Dramatic Arts program, play
director for Waterdown Little Theatre

Brock Shoveller, English Instructor with Mohawk College, former professional
actor and playwright.
230 Melville Street
Dundas

Members cont'd

Enio Mascherin, Stage manager, Second City
218 Locke Street South
Hamilton

Proposed New Board Members

Mrs. Rhona Waxman, lawyer with Morris, Waxman, Carpenter-Gunn
151 John Street South
Hamilton

Ms. Jean deLuca, marketing co-ordinator, The Hamilton Spectator

Mr. Lawson Hunter, Administrator, Burlington Cultural Centre
44 Glendale Avenue South
Hamilton

Consultants

Paul Eck, Director of Meadowvale Theatre, Mississauga, Marketing Consultant

Jean Crawford, Professional fund developer in private practice

Michael McHugh, Lawyer

Vitek Wincza, Artistic Director, Hamilton Ballet School

Peter Mandia, Artistic Director, Theatre Aquarius

SHORT TERM PLAN

1991

Build a strong Board of Directors composed of individuals with expertise in business administration, finance, marketing, fund development, public relations and promotion.

Make every effort to reduce the deficit to 15% of the annual operating budget.

Plan and implement a fund development plan including corporate and individual sponsors and donors.

Complete imperative repairs to the plumbing, electrical and heating systems.

Begin cosmetic renovations to the theatre.

Apply for heritage designation

Apply for a Regional Operating Grant for 1992

Apply for a second Bingo Licence and the new "break open" ticket licence if sale through the shopping mall lottery huts is approved.

Hold an annual meeting in late November and vote on appropriate changes to the by-laws and official change.

Produce a budget plan for 1992 and 1993

Plan a tentative 1991/1992 season which would include at least one production other than Duo For Obstinate Voices which is already committed.

Draw up rental contracts and seek out appropriate rentals by local ethnic performing arts and social organizations.

Plan to reinstitute the annual playwrighting competition.

Institute a membership recruitment campaign.

Introduce a newsletter for members and former subscribers

Conduct fund development special events that will include an annual Art Auction in November

Approach Law Society regarding a benefit performance of 12 Angry Men with proceeds going to Theatre Terra Nova

Approach the Hamilton Spectator for assistance in advertising performances.

Request consultation with the Arts Advisory Committee regarding problem solving

Attempt to get forgiveness of the loan payments to the City for a further year to assist in deficit reduction

Seek the assistance of the Boards of Education and McMaster University in producing a festival of student plays.

1992

Apply for a grant from the Ministry of Culture and Communications for a long term planning retreat for Board members as recommended by the Ontario Arts Council

Hire an Artistic Director and part time General Manager

Revise the job descriptions for these two positions.

Seek performance grants from the Ontario Arts Council for season performances, a festival of youth plays in Arts Awareness Month in May, and a workshop performance of the winning entry in the play writing competition.

Seek grants from the Ministry of Culture and Communication to upgrade lighting and sound equipment and toward renovation costs.

Reduce deficit by a further 10%.

Seek performance sponsors and donors.

Plan a 1991/1993 performance season to include at least 4 performances.

Continue an active fund development program including special events and the Art Auction.

Investigate the feasibility of a comedy sports program as a training ground for promising local comic performers.

Continue the festival of student plays program.

1993

Plan for a full 6 play 1993/1994 season and apply for performance grants.

Continue to seek grants for equipment and renovation purposes.

Apply for apprenticeship grants for technicians and administrative personnel.

Upgrade the part time General Manager's position to a full time position

Continue active fund development program.

Apply for grants to upgrade the computer system, the photocopier, telephone system and to purchase fax machine

Investigate the feasibility of workshops for aspiring performers and technicians.

Reduce deficit by a further 10%

Continue the festival of student plays

Theatre Terra Nova Production History

1987-88

REQUIEM by Jean Hughes
Directed by William Lebars
May 12 - 14, 1988

1988 - 89

COLD COMFORT by Jim Garrard
Directed by Brian Morton
September 28 - October 8, 1988

THE OCCUPATUION OF HEATHER ROSE by Wendy Lill
Directed by Jean Hughes
November 10 - 19, 1988

HERRINGBONE by Tom Cone
Directed by Cindy Anderson
January 12 - 21, 1989

BOILER ROOM SUITE by Rex Deverell
Directed by Ken Lefebvre
February 23 - March 4, 1989

STRAIGHT AHEAD/BLIND DANCERS by Charles Tidler
Directed by Brian Morton
March 16 - April 1, 1989

STORIES by Paul Benedetti, Wayne Mcphail and
Kevin Von Appen
Directed by Jean Hughes
April 20 - May 6, 1989

HOW COULD YOU MRS DICK by Douglas Rodger
Directed by Guy Sprung
June 1 - 16, 1989
Studio Theatre Hamilton Place

1989/1990

ROUGH IDLE by Alun Hibbert
Directed by Michael McKeever
October 19 - November 4, 1989

BILLY BISHOP GOES TO WAR by John Gray
Directed by Pat Dawson
November 16 - December 2, 1989

SALT WATER MOON by David French
Directed by Christopher McHarge
January 25 - February 10, 1990

UNEXPECTED MOVES by Gene Gray
Directed by Pat Dawson
November 16 - December 2, 1989

PEGGY'S SONG by Garrad
Directed by Ned Dickens
April 12 - 12, 1990

THE KINGPIN by Shawn Selway
Directed by Eric Steiner
May 24 - June 9, 1990
Studio Theatre Hamilton Place

1990/1991

WRITING WITH OUR FEET by Dave Carley
Directed by Kevin Land
October 1 - 27, 1990

THE ART OF WAR by George F. Walker
Directed by Chris McHarge
November 14 - December 1, 1990

THE CHINESE MAN SAID GOODBYE
Directed by Chris McHarge
January 25 - February 9, 1991

SEASON INCOMPLETE

THE CORPORATION OF THE CITY OF HAMILTON

LAW DEPARTMENT

MEMORANDUM

TREASURY	
1992 JAN 17	
ROUTE	REC'D
E.C.M.	
I.R.H.	
T.W.D.	
N.R.A.	
T.B.	
G.D.	
A.N.	

TO: Mr. R. Hammel
Acting City Treasurer
Treasury Department

YOUR FILE:

FROM: D. A. Powers
Law Department

OUR FILE: 142-0/90.1
PHONE: 546-4641

SUBJECT: - Rights of City as lender to
Theatre Terra Nova
- Theatre at 177 Sherman Ave. N.

DATE: 1992 January 17

You inform us in your January 3, 1991 memo that this borrower, Theatre Terra Nova now requests that the City agree to accept a \$100.00 monthly mortgage payment in place of the \$1,339.00 payment required by the terms of the mortgage loan approved by Council.

You inquire as to what are the alternative remedies of the City if the mortgage payments are not reduced and this borrower is in default of making its \$1,339.00 payments.

The collection rights of the City under terms of the mortgage are as follows:

1. Declare that due to default of payments required by the mortgage that the full balance of the mortgage is now due the City and give this borrower Notice of Sale. This Notice of Sale would provide that unless the mortgage owing is paid in full within 35 days, the City may offer the Theatre for sale on the open market.

I understand that the Property Department has commented on whether a sale in this market would be sufficient to cover the mortgage debt. If not, then following the deficient sale, the City would have to sue this borrower for judgement to attempt to collect the balance owing.

The success of recovering a deficiency pursuant to this judgement depends on whether this borrower's organization has any other tangible assets which the City could seize. You are in receipt of a Statement of the Assets and Liabilities of this borrower.

2. Secondly, the City could, due to default of payments under the mortgage, take court proceedings to acquire full ownership of the Theatre in the City's name by foreclosure. The City's only remedy in this route is that the City becomes the owner of the Theatre with no right to go after the borrower for any part of the loan.

3. Thirdly, the City, due to default in mortgage payments, could sue the borrower and obtain Judgement against it for the amount of the unpaid loan. As explained in paragraph one above, the effectiveness of this remedy is significantly limited to the value of other tangible assets owed by the borrower.

I trust this outline of the City's position as lender holding the first mortgage on the property answers your inquiry.

In the event that a decision is made by Council to approve the borrower's request, such approval should include the following.

4. That the monthly mortgage payments due the City from Theatre Terra Nova (Theatre Focus (Hamilton) Inc.) be reduced for a period of one year commencing September 1, 1991 from the present amount of \$1,339.00 to a new amount of \$100.00 per month on the following conditions:

- (a) That the borrower enters into a Mortgage Amending Agreement with the City;
- (b) That the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment for a maximum of one year provided during that period he keeps taxes and insurance obligations in good standing;
- (c) That the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;
- (d) That the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms.

In addition, you will have to recommend what interest will be applicable during the one year of reduced payments and how the \$100.00 payment shall be applied. This should be part of a recommendation for a Mortgage Amending Agreement.



D. A. Powers, Manager
Development & Real Estate Services

DAP:cv

cc: Mr. R. Sugden, Director, Culture & Recreation
Attention: Ms. C. York
cc: Mr. D. Vyce, Director of Property

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TREASURY		
1992 JAN 8		
ROUTE	REC'D	
E.C.M.		
I.R.H.		
T.W.D.		
N.R.A.		
T.B.		
G.D.		
A.N.		

TO: Mr. R. Hammel
Acting Treasurer
Treasury Department

FROM: Mr. M.C.J. Watson
Manager, Real Estate Division
Property Department


OUR FILE:
PHONE: (416) 546-4504

SUBJECT: Theatre Terra Nova
177 Sherman North

DATE: 1992 January 7

To confirm our previous conversations and our January 2, 1992 PROFS message, we believe the City will be unable to recoup the full mortgage amount if the property is taken back under Power of Sale due to the present poor market conditions and the 100% loan to value ratio.

With this in mind we would be prepared to support an amendment to the mortgage agreement to allow reduced payments for one year; all other conditions of the mortgage to remain the same.


M.C.J. Watson

MCJW:ag

c.c. Mr. D. W. Vyce, Director of Property

4.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 30

REPORT TO: J. D. Thompson, Secretary
Finance and Administration Committee

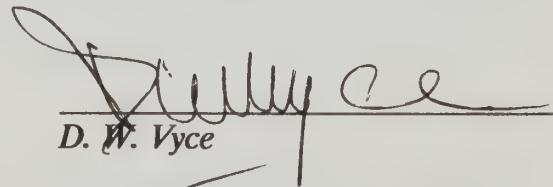
FROM: D. W. Vyce
Director of Property

JAN 30 1992

SUBJECT: Temporary Closure of Cafeteria - Hamilton City Hall -
Asbestos Removal

RECOMMENDATION:

- i) That the Agreement with Carmen's Catering Ltd. for the provision of Cafeteria/Food Services on the 8th floor level of Hamilton City Hall commence on their first day of opening of business, which at this time is projected to be Monday, April 20, 1992, rather than the original date of April 6, 1992 as recited in section 39 of the 2nd Report of the Finance and Administration Committee adopted by Council January 14, 1992.
- ii) That the rent to be paid by Carmen's Catering Ltd. to the City while they are temporarily operating a reduced level food service from the basement level of City Hall, be in a sum which is represented by 10% of the gross sales generated during the temporary operation.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above recommendation.

BACKGROUND:

On January 14, 1992, in adopting Item 39 of the 2nd Report of the Finance and Administration Committee, City Council approved of entering into a contract with Carmen's Catering Ltd. for the provision of cafeteria/food services at Hamilton City Hall. Carmen's operation of the cafeteria on the 8th floor was expected to commence on Monday, April 6, 1992. The current operator, Servifood Ltd., has been given formal notice of lease termination, effective April 4, 1991.

1992 January 30

Finance and Administration Committee

Page 2

As you are aware, the City has embarked on an asbestos control program encompassing all buildings owned and operated by the City of Hamilton. A recent inspection of City Hall has revealed that throughout the building, visible areas of sprayed asbestos fire proofing on steel beams and ceiling areas were encapsulated (oversprayed) with a product designed to restrict deterioration of the asbestos coating and the spread of asbestos fibres. Areas not visible however, were not sprayed. Evidence of slight damage and deterioration of the 8th floor asbestos fireproofing, combined with an ongoing need for technical staff to access the area, has necessitated a removal of the existing ceiling to allow a complete overspraying of the fireproofed area above the reflected ceiling. This will also give the opportunity to replace the original ceiling, modify and potentially upgrade lighting levels, and improve the aesthetics of the 8th floor eating area.

In order for this work to be performed, it will be necessary for the cafeteria to be closed and sealed off to public access for approximately two weeks. This two week shutdown period will also provide sufficient time for:

- (1) The City to install new safety regulated roof anchors for the building's window cleaning equipment. The City is not in compliance with current legislation and must install the new roof anchoring system.
- (2) Carmen's Catering Ltd. to put in place all improvements and equipment planned for the cafeteria space.

It should be noted that the temporary closing of the cafeteria was inevitable regardless of the tenancy of the space, because of the asbestos and roof anchor work to be performed. In fact it is actually the opportune time to close temporarily between tenancies, rather than disrupt the business of the new cafeteria tenant once their operation is underway.

Carmen's Catering Ltd. have been informed, understand the situation and have no objections whatsoever to the plans of the City. In fact, it gives Carmen's greater flexibility in planning the installation of their equipment on the premises.

The dilemma we find ourselves in, of course, is what to do during the two week closure of the 8th floor space. We have discussed this in detail with Carmen's Catering Ltd. to determine the service they could provide to the City during this time period. Assuming we can provide Carmen's with some preparation, storage and sales space, they can provide us with coffee, cold beverages, and light pre-packaged food (sandwiches, muffins et cetera) service. They are also prepared to provide delivered coffee service throughout the building during this period.

We are currently examining the availability of space on a temporary basis in the basement level of the building. Subject to the Health Department giving the City/Carmen's a formal licence, the use of the space, its location would be ideal, being opposite the

1992 January 30

Finance and Administration Committee

Page 3

Given that the temporary closure of the 8th floor cafeteria is unavoidable, and given that it is desirable from our point of view to maintain at the very least a coffee/beverage/light food service to the building, we believe the use of the basement space provides the best solution.

c.c. J. Pavelka, Acting Chief Administrative Officer

P. Noé Johnson, City Solicitor

R. Hammel, Acting City Treasurer

R. Swan, Manager, Building Operations & Maintenance

R. Hayes, Property Rental Agent

(2719)

CITY OF HAMILTON

- RECOMMENDATION -

DATE: 1992 January 30

REPORT TO: Mr. J. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. L. C. King, P. Eng.
Building Commissioner

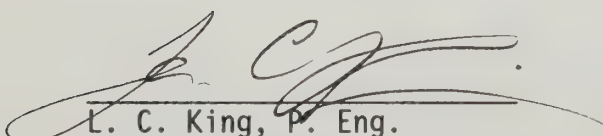
SUBJECT: Development Charges By-law 90-74

RECOMMENDATION:

1. In that infill development creating 10 or less residential dwelling units, through conversion or construction on an existing previously developed lot, imposes no additional demand for services, no development charge shall be applied under the City of Hamilton Development Charges By-law 90-74.
2. That the above policy be forwarded to the Region of Hamilton-Wentworth for consideration in order to harmonize the application of the City and Regional Development Charges By-law.
3. In light of the present economic difficulties the fees applicable in the Development Charges By-law 90-74 be referred to a staff committee consisting of representatives of the following Departments:

Law Department
City Treasury Department
Public Works Department
Traffic Department
Culture and Recreation Department
Planning and Development Department
Fire Department
Building Department and
Acting Chief Administration Officer

and chaired by the Building Commissioner to be reviewed and report back to the Finance and Administration Committee.


L. C. King, P. Eng.
Building Commissioner
LCK/hmp

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A**BACKGROUND:**

On July 30, 1991 City Council approved the 15th Report of the Finance and Administration Committee established a staff committee consisting of the:

Treasury Department
Planning and Development Department
Culture and Recreation Department
Public Works Department
Fire Department
Building Department
Hamilton Public Library

Chaired by the Building Commissioner to review development proposals involving infill situations or conversion of existing buildings to determine whether a development will increase the demand for municipal service and hence whether a development charge is applicable under the Development Charges By-law 90-74.

The Staff Committee has met on numerous occasions and has exempted several infill developments on the basis that they would not affect the demand for services and hence no charge was applicable.

After much discussion and the experience dealing with actual infill proposals it was the decision of the Staff Committee that infill development either construction or conversion on previously existing lots would not affect the demand for services and hence development charges should not be levied.

The Development charges in the city of Hamilton for a single family dwelling are currently:

Regional	\$ 7,474.00
City	\$ 2,872.00
5% Land Dedication	<u>\$ 2,200.00</u> (approximate - based on 40' lot)
	\$12,546.00

It should be noted that the 5% Land Dedication values are based on the actual market value minus the City and Regional Development Charges.

On December 16, 1991 the City of Toronto amended their Development charges By-law to delay the implementation from November 1, 1991 to January 1, 1995.

In light of the present economic conditions it is being recommended that the Development Charges By-law and the fee structure contained therein be referred to a Staff Committee consisting of representatives of the following departments and chaired by the Building Commissioner to prepare a report for the Finance and Administration Committee:

Treasury Department
Planning and Development Department
Culture and Recreation Department
Public Works Department
Fire Department
Traffic Department
Hamilton Public Library
Building Department

Also for your information Section 19 of the Development Charges By-law 90-74 provides that the development charges may be adjusted annually without amendment to this by-law, as of the 31st day of December in accordance with Composite Index for October as published in the October issue of the Southam Construction Cost index. The effect of this adjustment would be to increase the development charges by 4%.

cc J. Pavelka, Acting Chief Administrative Officer
cc R. Hammel, City Treasury Department
cc D. Lobo, Public Works Department
cc M. Main, Traffic Department
cc R. Sugden, Culture and Recreation Department
cc V. Abraham, Planning and Development Department
cc G. Baker, Hamilton Fire Department

ROBERT M. MORROW
MAYOR



✓

6.

January 14th, 1992

MEMO TO: Ald. Don Ross
Chairman, Finance & Administration Committee

John Thompson
Secretary, Finance & Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: INTERNATIONAL GREAT LAKES/ST. LAWRENCE
MAYORS' CONFERENCE
SECRETARIAT FUNDING

Last May the 5th Annual International Great Lakes St. Lawrence Mayors' Conference was held in Merrillville, Indiana, with the City of Hamilton and the 6 Lake Michigan Municipalities of Gary, Whiting, Michigan City, Hammond, Portage and East Chicago as hosts. The Conference was a tremendous success as it has been in Duluth, Quebec City and Niagara Falls. It has, however, been a major task over the last few years to organize a conference of this significance, consequently, the Steering Committee and the Membership at the Conference last year recommended by resolution the creation of a permanent secretariat to look after all the administrative requirements to keep this a strong annual event.

In order to do this the Steering Committee has recommended that the St. Lawrence Economic Development Council located in Quebec City be contracted to provide all the secretarial and conference organization and administration at an annual cost of \$50,000.00 U.S. (See Contract attached).

RECOMMENDATION: That the City of Hamilton as a member of the Steering Committee contribute up to \$5,000.00 U.S. towards first year funding of the secretariat. Method of financing to be determined.



- 2 -

BACKGROUND:

1. Contract with Sodes
2. The objectives of the International Great Lakes St. Lawrence Mayors' Conference.
3. A summary history of the conferences.

RMM/DC/pb.

cc: Joe Pavelka, Acting C.A.O.
Roy Hammel, Acting Treasurer

CONTRACT

BETWEEN

THE STEERING COMMITTEE

OF THE

INTERNATIONAL

GREAT LAKES ST. LAWRENCE

MAYORS' CONFERENCE

AND

THE ST. LAWRENCE ECONOMIC

DEVELOPMENT COUNCIL (SODES)

**with regard to Taking Charge of the Secretariat
of the International Great Lakes St. Lawrence Mayors' Conference**

THE PARTIES: **THE STEERING COMMITTEE OF THE INTERNATIONAL GREAT LAKES ST. LAWRENCE MAYORS' CONFERENCE, REPRESENTED BY THE MAYORS OF THE MUNICIPALITIES OF THUNDER BAY AND DULUTH,**

hereinafter called "the Mayors";

AND: **THE ST. LAWRENCE ECONOMIC DEVELOPMENT COUNCIL,**

hereinafter called "SODES";

ARTICLE 1. **OBJECT OF THE CONTRACT**

The Mayors require SODES' services to establish a permanent and bilingual (French and English) secretariat for the International Great Lakes St. Lawrence Mayors' Conference (hereinafter called the "Secretariat") which will bring together the mayors of Canadian and American municipalities bordering on the Great Lakes and the St. Lawrence River.

ARTICLE 2. **THE SECRETARIAT**

The Secretariat to be established by SODES shall assume the following responsibilities:

- i) to provide the administrative support and the general secretarial services to the Mayors;
- ii) to help the host city organize the annual International Great Lakes St. Lawrence Mayors' Conference (hereinafter called the "Mayors' Conference");
- iii) to disseminate the resolutions adopted by the Mayors and ensure their follow-up.

2.1 ADMINISTRATIVE SUPPORT AND SECRETARIAL SERVICES

In order to provide the administrative support and secretarial services for the Mayors and the Mayors' Conference, SODES shall:

- i) provide an office for the Secretariat;
- ii) appoint an individual responsible for the operation of the Secretariat;
- iii) ensure that the Secretariat carries out any task normally fulfilled by similar organizations, such as:

- having office supplies bearing the Secretariat's logo;
- ensuring telephone, fax, photocopying and translation services;
- organizing the regular meetings and activities of the Mayors and of any of their sub-committee;
- producing all documents required for these activities.

2.2 ANNUAL CONFERENCE

It is understood and agreed that the city hosting the annual Mayors' Conference is responsible and shall, as such, supervise the organization and all the financial aspects of the said conference.

The Secretariat shall, however, help the host city organize the following aspects of the Mayors' Conference:

- i) planning;
- ii) preparation of teams and resolutions;
- iii) selection of speakers;
- iv) supervision of the production of material to be used by speakers and/or participants;
- v) coordination of the promotion.

2.3 FOLLOW-UP

The Secretariat shall be responsible to follow the Mayors' decisions up by ensuring that their resolutions are properly disseminated and promoted. This responsibility also includes the gathering and exchange of information, the drafting of resolutions and the preparation of teams on any question of general or specific interest which the Mayors may find appropriate to discuss as part of their activities or at the annual Mayors' Conference.

ARTICLE 3. MAYORS' RESPONSIBILITIES

The Mayors shall provide SODES through the Secretariat with all the instructions, directions and information necessary for it to fulfill the responsibilities described at Article 2 above.

The Mayors are responsible for the payment of the fees provided for at Article 4.1.

ARTICLE 4. FEES

4.1 In consideration of the services described at Article 2 above, for the period ending on December 31, 1992, the Mayors shall pay SODES a lump sum of US\$50,000.

4.2 The amount provided for at Article 4.1 is payable in two instalments:

- (a) a first payment in the amount of US\$31,000 is payable on February 1, 1992. It should be collected from the municipalities of the Steering Committee in the following proportion:

Montréal	US\$5,000	
Québec City	US\$5,000	
Hamilton	US\$5,000	
Thunder Bay	US\$5,000	
Milwaukee	US\$5,000	
Duluth	US\$3,000	
Cities located in Northern Indiana	<u>US\$3,000</u>	<u>US\$31,000</u>

- (b) the balance of US\$19,000 is payable on June 1, 1992. It should be derived from the anticipated profits of the annual Mayors' Conference scheduled for May 1992 in Thunder Bay.

- 4.3 Should it become impossible to collect the participation of any one municipality in the manner and by the date provided for at Article 4.2 (a) above, the Mayors and each municipality they represent shall be jointly and severally responsible to ensure the payment of the full sum of US\$31,000 by February 1, 1992. Likewise, should the profits of the annual Mayors' Conference at Thunder Bay be insufficient to pay the second instalment of US\$19,000 by the date indicated at Article 4.2 (b) above, the Mayors and each municipality they represent shall be jointly and severally responsible to pay the said amount by June 1, 1992.

ARTICLE 5. RELATIONS BETWEEN THE PARTIES

- 5.1 Immediately after the signature of the present agreement, SODES shall inform the Mayors of the name of the person appointed by it in accordance with Article 2.1 (i) above to coordinate the operations of the Secretariat.
- 5.2 It is understood and agreed that such person shall remain at all time an employee of SODES, even while acting as a liaison between the Mayors and SODES or while working in close cooperation or under the supervision of the host city responsible for the annual Mayors' Conference. Such person shall, in no event, incur any personal liability or obligation towards the Mayors.
- 5.3 It is understood and agreed that SODES is and shall remain an independent organization. Its participation, through the Secretariat, in the organization of the Mayors' Conference or in the activities of the Mayors, shall not be construed as an automatic endorsement by SODES of the position, decisions and/or resolutions adopted by the Mayors during the annual Mayors' Conference or otherwise.

- 5.4 The Mayors shall inform SODES, as soon as practicable after the signature of the present agreement, of the name of the person(s) appointed by the host city to organize the annual Mayors' Conference.
- 5.5 SODES has the right to subcontract or delegate any part of its undertakings but it shall remain responsible for the respect and performance of the present agreement.

ARTICLE 6. TERM

- 6.1 This agreement shall take effect on January 1, 1992, and shall terminate on December 31, 1992.
- 6.2 Unless a written notice of termination is given ninety (90) days before the termination date by one of the parties, the present agreement shall automatically be renewed for an additional year, subject to proper adjustment of the fees payable to SODES which must be mutually agreed.

ARTICLE 7. ENTIRE AGREEMENT

The present agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and cancels and supercedes any prior understanding and/or agreement between the parties with respect thereto. There are no representations, warranties or collateral agreements express or implied between the parties.

ARTICLE 8. CANCELLATION

Should one party fail to perform or to fulfill its obligations hereunder, the other party may terminate the present agreement by giving notice in writing to the party in default. In such instance, the agreement shall terminate ten (10) days after the receipt of the notice which must be sent by registered mail.

Should this agreement be cancelled before the expiration of the term provided for at Article 6 above, for any reason whatsoever, both parties shall be relieved of all their obligations and/or responsibilities hereunder and shall not be liable to the other party for any loss and/or damage whatsoever, howsoever caused.

FOR THE ST. LAWRENCE ECONOMIC DEVELOPMENT COUNCIL

Henri Allard
President

Date

FOR THE STEERING COMMITTEE OF THE INTERNATIONAL GREAT LAKES ST.
LAWRENCE MAYORS' CONFERENCE

Dave Hamilton
Mayor of Thunder Bay

Date

Gary L. Doty
Mayor of Duluth

Date

THE STEERING COMMITTEE OF THE INTERNATIONAL GREAT LAKES ST. LAWRENCE MAYORS' CONFERENCE

Sammie L. Maletta, Mayor of Portage, Indiana — Co-Chairman, 1991



Elected to office in 1987, Mayor Sammie Maletta served on the Portage City Council for 17½ years prior to his election as mayor. A life-long resident of Northwest Indiana, Mayor Maletta presently serves on the Executive Board of the Northwestern Indiana Regional Planning Commission and is past chairman and past treasurer of the Lake Michigan Marina Development Commission. Always civically-minded, Mayor Maletta has been involved with numerous community associations and programs, including the Boys Club of Northwest Indiana, the Cerebral Palsy Foundation of Northwest Indiana, and local educational institutions. He is a 35-year member of the American Legion and serves on the Board of Directors of the Old Timers Athletic Association.

Robert M. Morrow, Mayor of Hamilton, Ontario — Co-Chairman, 1991



Mayor of Hamilton since November, 1982, Robert M. Morrow has presided over one of the most exciting periods in Hamilton's history. Economically, culturally, and socially, Hamilton has entered a new era as it diversifies and continues to make significant contributions as a great Canadian city. Mayor Morrow is a native of Hamilton and a teacher by profession at both the high school and college levels. He is a graduate in History and Political Science and also in Piano from A.R.C.T. (Toronto). Prior to his election as mayor, he served Hamilton as an Alderman, Controller, and Deputy Mayor.

Arthur C. Eggleton, Mayor of Toronto, Ontario



Arthur C. Eggleton, Mayor of Toronto since 1980, is the longest serving mayor in the history of Toronto. In his four terms of service, Mayor Eggleton has served as Chairman of City Executive, Cityhome, the Toronto Mayor's Committee on Community and Race Relations, the Toronto Economic Development Committee, the Housing Action Committee, and the Mayor's Task Force on Drugs. An accountant by profession, Mayor Eggleton's career in municipal politics stretches back more than two decades. In successive years since his first political victory in 1969, Mr. Eggleton served as Budget Chief, President of the City Council, and Vice Chairman of the City Executive Committee.

James D. Griffin, Mayor of Buffalo, New York



James D. Griffin served as co-chairman of the 1989 International Great Lakes St. Lawrence Mayors' Conference. Elected as mayor in 1977, Mayor Griffin has a long history of public service. His career began in 1961 as a District Councilman. In 1967, he began an 11-year tenure as a New York State Senator, during which he represented Buffalo and Western New York's interests in the state capital. During Mayor Griffin's 13-year administration, Buffalo has seen a major shift in the city's economic base from an industrial-based to a more diversified economy. Downtown Buffalo continues with a strong revitalization and modernization plan that has transformed former industrial waterfront properties into residential and recreational neighborhoods.

The 19th International Great Lakes St. Lawrence Mayors' Conference

Jack Masters, Mayor of Thunder Bay, Ontario



Elected to office in 1985, Mayor Jack Masters has held numerous other positions in addition to mayor. He has been the Chairman of the Northern Development Council in Thunder Bay and a member of the Great Lakes/St. Lawrence International Seaway Conference Committee since 1986. From February, 1980 to September, 1984, Mayor Masters was also a member of the Federal Parliament. Prior to his political career, Mayor Masters was Vice-President and Station Manager of CKPR-CHFD-TV. He then moved into the insurance field in 1977, where he held the positions of General Manager and Insurance Executive with Thunder Bay Insurance Services Limited.

John O. Norquist, Mayor of Milwaukee, Wisconsin



John O. Norquist served as co-chairman of the 1990 International Great Lakes St. Lawrence Mayors' Conference. Elected as the 37th Mayor of Milwaukee in April 1988, Mayor Norquist also serves on the U.S. Conference of Mayors' Advisory Board and is a member of the group's Federal Budget Task Force, the Urban Economic Policy Committee, and the Task Force on Recycling. Prior to his election as mayor, he served 13 years in the Wisconsin Assembly and Senate, representing Milwaukee's south and west sides.

Jean-Paul Lallier, Mayor of Quebec, Quebec



Mayor Jean-Paul Lallier was elected to City Council in November of 1989. P. to his election, he was General Delegate for Quebec in Belgium from 1981 to 1984. He also served as a member of the National Assembly of Quebec and occupied a number of ministerial posts for the Quebec Government between 1984 and 1976, including Minister of Public Services, Minister of Communications and Minister of Cultural Affairs.

Jean Doré, Mayor of Montreal, Quebec



A city councillor since 1984, Jean Doré was elected Mayor of Montreal on November 9, 1986, winning 68% of the popular vote. He was re-elected on November 4, 1990 with 59.2% of the popular vote. During his first mandate, Mayor Doré set out to modernize the municipal government, democratize municipal political life, and develop various features which will enable Montreal to take its rightful place among the major cities of the world.

John A. Fedo, Mayor of Duluth, Minnesota



Elected in 1980 as Duluth's youngest mayor at age 29, John A. Fedo has led the community from what the Wall Street Journal called "One of the U.S. 10 Economically Distressed Cities" in 1981 to a thriving, exciting city that has won the 1988 U.S. Conference of Mayors Livability Award. During his 11 years as Duluth's Mayor and Chief Executive Officer, John Fedo has played an active role in creating Duluth's formalized and successful economic development effort. He has also brought together a young, aggressive staff created the city's first Public Arts Commission, initiated successful waterfront development, expanded the city's waterfront convention center, and developed financial plans for Duluth's industry, tourism, and retail markets.

sodes

Société de développement
économique du Saint-Laurent

St. Lawrence Economic
Development Council

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Hugues Morissette
Secrétariat à la mise en valeur
du Saint-Laurent

DIRECTEUR GÉNÉRAL/ EXECUTIVE DIRECTOR

Marc Gagnon

Siège social
185, Grande Allée est
Québec, Québec

18) 523-0873
Tél. (418) 646-9959

January 16, 1992

Mr. Robert M. Morrow
Mayor
City Hall of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

RE: International Great Lakes St. Lawrence Mayors' Conference

Dear Mr. Morrow:

As you are now aware, SODES has been mandated to set up the Secretariat for the International Great Lakes St. Lawrence Mayors' Conference.

You will find enclosed a contract proposal binding SODES to the Mayors' Conference to carry out this mandate. This document reflects the intent of the agreement reached between SODES and the members of the Mayors' Conference Steering Committee during the November 25, 1991 meeting in Thunder Bay. If you have any objections to the definition of the mandate as outlined in this contract proposal, we would appreciate you forwarding them to us before Wednesday, January 22.

An agreement in principle was reached with the Great Lakes Commission, an inter-state agency based in Michigan, to take responsibility for part of the Secretariat's work in the United States. This agreement will enable the Secretariat to quickly acquire greater efficiency and help it promote Mayors' Conference activities in the US.

Claude Mailloux, Assistant Executive Director of Sodes, has been appointed to coordinate Mayors' Conference Secretariat activities. Please contact Mr. Mailloux if you have any questions about the attached contract proposal.

Sincerely,



Marc Gagnon
Executive Director

Enclosure

MAYORS' CONFERENCE HISTORY AND OBJECTIVES

In 1983, twelve leading organizations of the Great Lakes St. Lawrence region united to establish a binational alliance for the expansion of commerce and trade. This alliance, named the Great Lakes St. Lawrence Maritime Forum, was dedicated to marketing the region and the tremendous opportunities of its maritime transportation system.

Recognizing the need to involve the region's municipalities, the Maritime Forum organized the first International Great Lakes St. Lawrence Mayors' Conference in Quebec City in 1987. The Conference drew over 200 participants from the eight Great Lakes states and the Canadian provinces of Ontario and Quebec.

At that first meeting, the mayors adopted a series of objectives that continue to govern the focus of the Conference. These objectives are:

1. Provide an opportunity for Mayors to focus their attention on and collectively support and advocate for the common interests in our shared resource, the Great Lakes St. Lawrence System.
2. Provide Mayors a forum in which to identify common challenges and opportunities for expanding economic utilization of the Great Lakes St. Lawrence System.
3. Promote increased visibility for the commercial navigation system assets shared by communities on the Great Lakes St. Lawrence System.
4. Promote an increased awareness of shared Great Lakes St. Lawrence environmental assets and develop a common Mayors' strategy to protect and enhance the resource.
5. Promote increased visibility for the recreation and tourism assets shared by communities on the Great Lakes St. Lawrence System.

7

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 16

REPORT TO: Mr. J. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D.K. Beattie
Grants Co-Ordinator

SUBJECT: REFERRAL FROM PARKS AND RECREATION
COMMITTEE TO TRANSFER GRANT FUNDS TO
ANNUAL RECREATIONAL SPECIAL
EVENTS/PROGRAMS

RECOMMENDATION:

The Grants Review Group has met and respectfully recommends:

- a) that the following 1991 Grant base funds be transferred to the Special Events component of the Recreation budget for implementation in 1992 on the basis that recreational staff have a direct operational involvement in the groups activities:

Around the Bay Road Race	\$ 5,000
Folk Arts Heritage Festival	25,000
Santa Claus Parade	18,400
Catholic Youth Organization	12,810
First Place (Seniors)	<u>6,500</u>
	<u>\$67,710</u>

- b) that the Grants total budget be reduced by \$67,710 to \$532,290 for 1992.


D.K. Beattie, Grants Co-ordinator

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- See above recommendations - essentially there will be a base transfer from the Grants Budget to the Recreational Budget in the total amount of \$67,710

Mr. J. Thompson, Secretary
Finance and Administration Committee
1992 January 16 - Page 2

BACKGROUND:

Subsection C of Section 5 of the Nineteenth Report of the Parks and Recreation Committee approved by City Council October 8, 1991 states the following:

"That the Finance and Administration Committee be requested to transfer the base budget of the on-going/annual special events to the Events - Current Budget of Culture and Recreation, administered by the Special Events Co-ordinator".

The Finance and Administration Committee tabled this issue at their meeting October 24, 1991 at the request of the Grants Review Group. This would allow the Grant Review Group to review the grants which would apply to the above noted recommendation.

On the advise of the Director of Culture and Recreation and the concurrence of the Grants Review Group, the organizations listed in the recommendation would apply to the base transfer. These groups all have direct recreational staff involvement on an operational basis i.e. recreational staff assist in developing plans for the events and provide some direction for the group.

There were two other groups recommended to be a part of this base transfer, namely Drum Corps International and Creative Arts concerning Earthsong and Festival of Friends. Apparently Drum Corps International will not be holding their competition in Hamilton in 1992. With respect to Creative Arts, the Regional Municipality has approved "Celebrate '92" which will provide \$600,000 to promote and develop at least five festivals including Earthsong and Festival of Friends. With this Regional program there will be no City funding for these festivals.

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2nd Floor

J. J. SCHATZ
CITY CLERK

PHONE (416) 546-2700
FAX (416) 546-2095

THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK
71 MAIN STREET WEST
HAMILTON, ONTARIO L8N 3T4

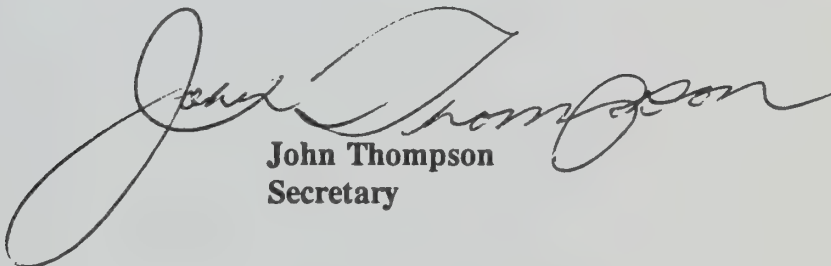
NOTICE OF MEETING

FINANCE AND ADMINISTRATION COMMITTEE

Thursday, 1992 February 20

9:30 o'clock a.m.

Room 233, City Hall


John Thompson
Secretary

AGENDA:

1. DELEGATIONS

- 9:30 a.m. (a) Mr. Wayne Marston, President, Communications and Electrical Workers of Canada, Local 42 - Resolution on Affordable Telephone Service.
- 9:40 a.m. (b) Theatre Terra Nova - Monthly Mortgage Payments.
- 10:00 a.m. (c) Allies for Animal Rights - Prohibition of Animal Acts in Circuses in Hamilton
- (i) Submission - Ringling Bros. - Barnum & Bailey Circus.
 - (ii) Submission - Bowmanville Zoo
 - (iii) Submission - Putting People First
 - (iv) Submission - GWE Consulting Group Ltd., Calgary, Alberta
 - (v) Submission - African Lion Safari, Cambridge

2. CONSENT AGENDA

3. CITY CLERK

Proposed By-Law to Regulate the Sale of Tobacco to Minors

4. CITY OF HAMILTON LICENSING COMMITTEE

Nevada Lottery Scheme

5. INTERNATIONAL GREAT LAKES/ST. LAWRENCE MAYORS' CONFERENCE
RE: SECRETARIAT FUNDING (Tabled 1992 February 06)

6. DIRECTOR OF PROPERTY

- (a) Restructuring Real Estate Division
- (b) Direct purchase of natural gas
- (c) Care-taking - School-attached Recreation Centres

7. COMMISSIONER OF HUMAN RESOURCES

Terms of Employment - School Crossing Guards

- (a) Information report on sick leave provisions.
- (b) Original Report of 1991 December 27 recommending approval.

8. HAMILTON FIRE DEPARTMENT

Staffing Complement - Hamilton Fire Department

9. ALDERMAN D. DRURY

Canadian Taxi Association - Membership

10. UNFINISHED BUSINESS

(a) Tivoli Theatre Proposal

Request for a loan guarantee taken under advisement on 1992 February 06 - decision pending.

(b) We Care Kennels Inc.

Proposal taken under advisement on 1992 February 06 - decision pending.

11. HAMILTON INTERNATIONAL AIRSHOW CIVIC RECEPTION

12. CITIZEN APPOINTMENTS TO VARIOUS COMMITTEES/BOARDS

Report to follow.

13. NEW BUSINESS

14. ADJOURNMENT

OUTSTANDING ITEMS

FINANCE & ADMINISTRATION COMMITTEE

1. (a) Policy to exempt Parking Authority from realty and business tax -Budget Meeting 1990 Feb. 23 and Regular Meeting 1990 Mar. 22 (Presently under review by Treasurer)
- (b) Examine feasibility of directing the net revenue from parking fines into the Reserve Account - 1990 March 22 (presently under review by Treasurer).
2. Street Vendors Program - Examine all aspects of the Program and report back to Finance and Administration Committee. Report and recommendations pending from Manager, Licensing Division.
3. Review licence fee and approval process for Transient Traders - Report pending from Manager of Licensing.
4. Hamilton Public Library Board - User Pay Policy and Regionalization of Hamilton Library Services (1990 Aug. 23) - Report pending from Library Board.
5. Council Agenda Line (1990 Aug. 23) - Report pending from Manager of Property Maintenance and Manager of Purchasing.
6. Steel City Flea Market - Flea Market By-law #87-234-Report pending for Manager of Licensing.
7. Review Civic Awards regulations to include recognition of cultural achievements (1992 January 09). Staff report pending.
8. H.S.P.C.A. to report back on possible amendments to existing legislation to improve power to confiscate vicious animals - 1992 January 23.
9. Temporary Business Tax - Convention Centre - Report pending from Treasurer 1992 January 23.
10. Windermere Basin 1992 February 06 - Status report pending.
11. Uncollectible BIA Levies - Report pending from Treasurer (1992 February 06).

CITY OF HAMILTON
- RECOMMENDATION -

1(a)

DATE: 1992 January 20

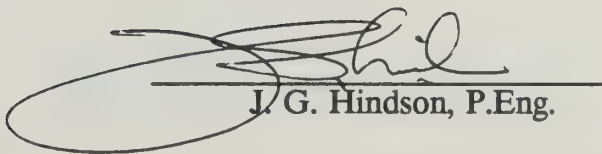
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Hindson, P.Eng.
Director of Information Systems

SUBJECT: "Affordable Telephone Service"
- Submission by Local 42 of the Communications and Electrical Workers
of Canada

RECOMMENDATION:

- a) That the Submission from Local 42 of the Communications and Electrical Workers of Canada regarding "Affordable Telephone Service" be received.


J. G. Hindson, P.Eng.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

In response to the memo received from the Secretary of the Finance and Administration Committee requesting comments and/or recommendations concerning the above submission, I would advise as follows:

The Corporation of the City of Hamilton is a major consumer of telephone and data communications services. Combined telephone and data line expenses are approximately \$528,000 annually.

The CRTC (Canadian Radio-Television Telecommunications Commission) is responsible for regulating the industry and sets rates and tariffs for various types of Telephone services.

The issues surrounding the deregulation of the telecommunications industry are complex.

The CRTC has permitted the use of alternative equipment on the Bell network (such as telephones and switching equipment), and has also required Bell to provide network access for other types of switching equipment and services (such as alternative long distance services).

With regard to equipment sources, our experience has been that alternative (to Bell) and refurbished equipment is available at reduced cost.

With respect to services, our experience has been that alternative long distance services have been made available at up to 30% reduced costs. It is noted, however, that the CRTC sets the rates that the existing network owner (Bell) can charge third parties to access the Bell network.

**COMMUNICATIONS AND ELECTRICAL
WORKERS OF CANADA, LOCAL 42**

**A VIEW FOR PRESERVING
UNIVERSALLY AFFORDABLE TELEPHONE SERVICE**

FOR PRESENTATION TO THE

**FINANCE AND ADMINISTRATION COMMITTEE
OF THE CITY OF HAMILTON**

**PRESENTED BY
WAYNE MARSTON, PRESIDENT**

NOVEMBER 21, 1991

I would like to thank the Finance and Administration Committee for this opportunity to place before it some of our members concerns surrounding the Unitel/BCRL application to enter the long distance market.

We are here today representing the some 700 members of our local and their families who work and live in Hamilton and surrounding communities. I would point out to you at this time when you take into account management and clerical staff at Bell Canada the numbers increase to 1600.

We are not in any way in conflict with Bell Canada on this issue, only viewing it in employment terms instead of profitability and capacity to provide service.

The Telecommunications industry is facing a crisis similar to the one faced in the United States prior to the divestiture of AT&T a decade ago.

Following the divestiture of AT&T in the U.S., employment levels in the Telecommunications service and industrial manufacturing sectors dropped by 57%. Much of the manufacturing was moved to non-U.S. plants. AT&T employment levels dropped from 1,070,000 to 823,000.

While in negotiations for our current collective agreement with Bell Canada, the topic of the UNITL/BCRL application came up. The corporate management of Bell Canada indicated to us at that time, should the application be successful, our members would be facing staffing reductions of some 20%.

Such dramatic changes would diminish service levels and also would affect the tax base which helps to support this city.

I would like to comment more directly on the application itself.

Regulation and the Public Interest

Canadians have worked hard to establish what is now regarded as one of the best telephone systems in the world. Thirteen million lines ensure telephone service to 98% of Canadian households. The fact that these numbers are higher than those of the United States and all other countries except one, is an achievement that certainly warrants careful consideration of the eventual dismissal or infringement on the present regulatory mechanisms and closely reviewing any change in the industry's structure that could imperil such a system.

During a conference on the future of telecommunications in Canada held at Carleton University in December 1990, Mr. Jean-Pierre Mongeau, former CRTC Vice-Chairman, described as follows the complexity and, in many respects, the fragility of existing regulatory structures:

"Our telecommunications network is the result of historical circumstances, various policies through time, timely technological developments, and in particular with regard to this application, the result of practices and tariff decisions which today account for an integrated system. While our system may appear to be simple, and I would like to popularize it, in reality it is a mosaic of hundreds of factors, all interrelated in such a way that any proposed substantial change to one or the other of its' elements, will affect all others. Another way to describe this integrated reality is to refer to American, Peter Duber's expression concerning his geodesic concept. A geodesic concept that not only characterizes the interrelation between each of the elements, but also illustrates the continual changing dynamics of each link between these elements - all of which does not facilitate any decision-making process. Our system is thus bristled of as many cross-subsidizations as was possible to invent. Many are transparent, others are becoming so with the cost inquiry, but many others remain yet unknown to users.

Jean-Pierre Mongeau

It is in this context and considering the true developmental options with which we are faced, that this Committee should base its' consideration of the information placed before it today.

In view of the various scenarios identified by intervenors at the C.R.T.C. hearings into the Unitel/BCRL application, our Local believes it essential for this city to take a position on the application, taking into account the interest of the largest number of telephone subscribers in this City as possible. During the CRTC process of reviewing this application, of the some 80 plus interventions, only 2 were in favour of the Unitel/Bcrl application.

The Unitel/BCRL application requests the CRTC to enforce a pricing advantage of 15% in Unitel's favour over the same services offered by Bell Canada. CWC Local 42 believes the request is nothing short of ridiculous. The request for such a predatory pricing advantage alone should be grounds for opposing the application.

The telecommunications sector in Canada has been and still is responsible for much of the high tech research and development investment done in this country. Bell Canada and its' subsidiaries represent in the area of 1 Billion dollars per year in R&D.

The fact remains the telecommunications sector is one of the few high-technology fields in which Canada still excels. These are major achievements we must build on for the future.

CHOICES:

This application asks that Unitl/BCRL be allow to attach their equipment to an already existing network, not to enhance what exists, but to cream skim those profits already established by the current network.

The fact of the matter is relatively simple. Should these Companies be allowed to exploit the established network to their advantage and in doing so reduce those monies available to cross subsidise local subscribers. The outcome of such a scenario would ultimately lead to increased user fees for Local and small business, the two groups most disadvantaged by the current recession.

There will be some winners under this proposal. The heavy users of long-distance services between major Canadian cities would see savings. Yet keep in mind, the CRTC has at present the authority to control pricing in those very areas.

We believe this application has, with the closing of the CRTC hearings, entered a political stage where lurks, the Federal Government mindset on privatization and deregulation. We believe strongly every person or group who has the potential to get the ear of this government, must stand up and say "no" to such a dramatic policy shift and "yes" to retaining Canada's most affordable telephone system.

Canada's telephone system is one of the most accessible and least expensive in the world. From a farmer in Saskatchewan, to a steel worker in Hamilton, to a fisherman in atlantic Canada there is one common thread. an affordable communications network which allows them to call across town or across the country.

Our Union, the CWC has called upon the federal government to issue a telecommunications policy which contains the cost for local and small business subscribers while guaranteeing the continuation of universally available telephone service.

We would ask this Committee to recommend to City Council they join with us in our opposition to the Unitel/BCRL application and to show that support in passing a resolution at City Council. A resolution to oppose an application which would put in jeopardy the affordable telephone system our City is not only accustomed to, but can't afford to be without.

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WHEREAS the telephone is considered an essential social and economic link for Canadians and the rest of the world;

AND WHEREAS our existing basic telephone service is both universally affordable and of high quality;

AND WHEREAS deregulation of the industry, especially in long distance, has led to increased local rates and poorer service in the United States and other countries;

AND WHEREAS pensioners, farmers, low income earners, small businesses would suffer the most;

THEREFORE BE IT RESOLVED that the City Council of the City of Hamilton oppose deregulation of the telephone industry;

BE IT FURTHER RESOLVED the City Council of the City of Hamilton requests of the CRTC and Federal Government to reject the current application by Unitel Communications Inc. and BCRL to enter the long distance telephone business;

BE IT FINALLY RESOLVED that the City Council of the City of Hamilton actively support efforts to maintain existing affordable, universal telephone service and will convey these sentiments -- by letter, telephone calls and other means -- to the appropriate governmental, legislative and regulatory authorities.

1 (b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 January 29

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. Roy Hammel
Acting Treasurer

JAN 30 1992

SUBJECT: THEATRE TERRA NOVA

RECOMMENDATION:

That the monthly mortgage payments due the City from Theatre Terra Nova be reduced for a period of one year commencing September 1, 1991 from the present amount of \$1,339.00 to a new amount of \$100.00 per month on the following conditions:

- i) that the borrower enters into a Mortgage Amending Agreement with the City;
- ii) that the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment for a maximum of one year in order to provide the opportunity to satisfy the property tax arrears obligations with the City.
- iii) that the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;
- iv) that the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms.

Roy Hammel

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

- this was an interest-free loan by the City, and the extension would mean further loss of interest to the City of several hundred dollars.
- probable result of alternative of not granting extension is loss to City on the sale of the property.

BACKGROUND:

City Council approved of an interest-free loan of \$225,000.00 to Theatre Terra Nova in August 1990, which provided for payments of \$1,339.00 per month for 14 years commencing one year after the loan, i.e., September 1991.

The loan was for the purpose of buying the Playhouse Theatre on Sherman Avenue North in order to provide a more suitable home for the Theatre. Unfortunately, it appears that several large repairs were needed in 1991 in order to put the Theatre in shape for performances, and in addition a new Board of Directors was formed during 1991. This situation contributed to a lack of revenue source and consequently a very precarious financial picture was presented when the first payment to the City became due in September 1991.

The Committee should also be aware of two other situations that have a bearing on the finances of Theatre Terra Nova: 1) property taxes are in arrears in the amount of \$5,800, and 2) this group has a grant request before the Region in the total amount of \$45,000 representing capital request of \$8,000 and operating at \$37,000; I understand the grant request are to be considered by the Region next week.

Enclosed is a copy of the letter from Ms. Jessica Davenport, Board of Directors of Theatre Terra Nova, together with other information applicable to the members of the Board and plans for the future. Also enclosed are reports from the Law and Real Estate Departments commenting on the alternatives to this extension.

Because of the present general economic conditions, the unexpected problems that the Theatre encountered during the first year after the loan, and the specific marketability prospects of the property, I am prepared to recommend an extension of one year on the loan term and a reduction to the nominal amount of \$100.00 for a specified period.

c.c. Jessica Davenport
Board of Directors, Theatre Terra Nova

D. A. Powers
Law Department

M. J. Watson
Property Department



Theatre Terra Nova

177 Sherman Avenue North
Hamilton, Ontario L8L 6M8

(416) 544-2733

November 13, 1991

Mr. Edward Matthews
City Treasurer
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

TREASURY		
1991 NOV 13		
ROUTE		REC'D
E.C.M.		
I.R.H.		
T.W.D.		
N.R.A.		
T.B.		
G.D.		
A.N.		

Dear Mr. Matthews:

I am writing to you on behalf of Theatre Terra Nova which is located at the Playhouse Theatre, 177 Sherman Street North.

In 1990 the City of Hamilton generously demonstrated its support for the performing arts by granting an interest-free \$250,000.00 loan to Theatre Terra Nova toward the purchase of the Playhouse Theatre. Prior to receiving the grant, the Theatre Company had operated from an old church building at the corner of Dundurn and Main Street. The impending sale of the property necessitated finding another location for the Theatre and with the help of the City of Hamilton, the Playhouse Theatre was selected. ^{225,000}

Despite continuing critical acclaim for Terra Nova's artistic productions, serious financial difficulties have arisen since the purchase was made. Despite a one-year respite from loan payments to the City, the company is still in a precarious financial position. However, several positive things have occurred. Cosmetic improvements to the Theatre have been made through the use of volunteers and gifts-in-kind of paint supplies. Also the former Board of Directors has been completely replaced by an entirely new Board who have proven expertise to bring to the revitalizing of Theatre Terra Nova. This Board is dedicated to fund development through soliciting donations from individuals and corporations, seeking performance sponsorships and applying for grants from relevant foundations; directions not previously pursued by the founders of Theatre Terra Nova. We will, of course, continue to seek funding at a provincial level through the Ministry of Culture and Communication and the Ontario Arts Council; the Federal level through the Canada Council; and the local level through our application for a Regional grant.

In order to give our new Board of Directors time to implement their plans, we are therefore requesting the opportunity to reduce our loan payments, which began in September of this year, to a token payment of \$100 a month for a one year period. Hopefully this financial breathing space will allow us to resume producing plays in order to maintain our artistic integrity and to put our financial situation in order.

We are enclosing our recently produced financial statement and material relevant to the history of the Theatre Company.

Should you require further information regarding the Theatre or our request, please contact me at 120 Duke Street, Suite 1106, Hamilton, Ontario, L8P 4T1 (telephone 528-0440).

Yours very truly,

A handwritten signature in cursive script that reads "Jessica Davenport".

(Ms) Jessica Davenport

JD/ma

BOARD MEMBERS

- President - Raymond Gamble, Clothing store owner
544-72 James Street North
Hamilton
- Past President - Shawn Selway, Playwright
444 Mary Street
Hamilton
- Treasurer - Paul Nafekh, Accountant
148 Florence
Hamilton
- Secretary - Jessica Davenport, retired, former Director of Public
Relations and Fund Development, Children's Aid Society
120 Duke Street, Suite 1106
Hamilton

528-9807 home

544-6687 office
Philipps Environment

Members at Large

Ms. Mona Nahmias, Drama teacher with Halton Board, Director with
Waterdown Little Theatre and McMaster Summer Drama Festival
37 Dromore Crescent
Hamilton

Ms. Tara LaRose, Secretary, former part-time General Manager for
Theatre Terra Nova
430 Pearl Street, #303
Burlington

Mrs. Lillian Vine, Conference Co-ordinator, Canadian Occupational
Health and Safety Department, long time arts supporter, former Board
of Education Trustee

Ms. Adele Barrett, Interior Designer, Barrett Interiors, founding member of
Creative Youth Theatre.
15 Glenwood Crescent
Hamilton

Paul Rivers, McMaster University student in Dramatic Arts program, play
director for Waterdown Little Theatre

Brock Shoveller, English Instructor with Mohawk College, former professional
actor and playwright.
230 Melville Street
Dundas

Members cont'd

Enio Mascherin, Stage manager, Second City
218 Locke Street South
Hamilton

Proposed New Board Members

Mrs. Rhona Waxman, lawyer with Morris, Waxman, Carpenter-Gunn
151 John Street South
Hamilton

Ms. Jean deLuca, marketing co-ordinator, The Hamilton Spectator

Mr. Lawson Hunter, Administrator, Burlington Cultural Centre
44 Glendale Avenue South
Hamilton

Consultants

Paul Eck, Director of Meadowvale Theatre, Mississauga, Marketing Consultant

Jean Crawford, Professional fund developer in private practice

Michael McHugh, Lawyer

Vitek Wincza, Artistic Director, Hamilton Ballet School

Peter Mandia, Artistic Director, Theatre Aquarius

SHORT TERM PLAN

1991

Build a strong Board of Directors composed of individuals with expertise in business administration, finance, marketing, fund development, public relations and promotion.

Make every effort to reduce the deficit to 15% of the annual operating budget.

Plan and implement a fund development plan including corporate and individual sponsors and donors.

Complete imperative repairs to the plumbing, electrical and heating systems.

Begin cosmetic renovations to the theatre.

Apply for heritage designation

Apply for a Regional Operating Grant for 1992

Apply for a second Bingo Licence and the new "break open" ticket licence if sale through the shopping mall lottery huts is approved.

Hold an annual meeting in late November and vote on appropriate changes to the by-laws and official change.

Produce a budget plan for 1992 and 1993

Plan a tentative 1991/1992 season which would include at least one production other than Duo For Obstinate Voices which is already committed.

Draw up rental contracts and seek out appropriate rentals by local ethnic performing arts and social organizations.

Plan to reinstitute the annual playwrighting competition.

Institute a membership recruitment campaign.

Introduce a newsletter for members and former subscribers

Conduct fund development special events that will include an annual Art Auction in November

Approach Law Society regarding a benefit performance of 12 Angry Men with proceeds going to Theatre Terra Nova

Approach the Hamilton Spectator for assistance in advertising performances.

Request consultation with the Arts Advisory Committee regarding problem solving

Attempt to get forgiveness of the loan payments to the City for a further year to assist in deficit reduction

Seek the assistance of the Boards of Education and McMaster University in producing a festival of student plays.

1992

Apply for a grant from the Ministry of Culture and Communications for a long term planning retreat for Board members as recommended by the Ontario Arts Council

Hire an Artistic Director and part time General Manager

Revise the job descriptions for these two positions.

Seek performance grants from the Ontario Arts Council for season performances, a festival of youth plays in Arts Awareness Month in May, and a workshop performance of the winning entry in the play writing competition.

Seek grants from the Ministry of Culture and Communication to upgrade lighting and sound equipment and toward renovation costs.

Reduce deficit by a further 10%.

Seek performance sponsors and donors.

Plan a 1991/1993 performance season to include at least 4 performances.

Continue an active fund development program including special events and the Art Auction.

Investigate the feasibility of a comedy sports program as a training ground for promising local comic performers.

Continue the festival of student plays program.

1993

Plan for a full 6 play 1993/1994 season and apply for performance grants.

Continue to seek grants for equipment and renovation purposes.

Apply for apprenticeship grants for technicians and administrative personnel.

Upgrade the part time General Manager's position to a full time position

Continue active fund development program.

Apply for grants to upgrade the computer system, the photocopier, telephone system and to purchase fax machine

Investigate the feasibility of workshops for aspiring performers and technicians.

Reduce deficit by a further 10%

Continue the festival of student plays

Theatre Terra Nova Production History

1987-88

REQUIEM by Jean Hughes
Directed by William Lebars
May 12 - 14, 1988

1988 - 89

COLD COMFORT by Jim Garrard
Directed by Brian Morton
September 28 - October 8, 1988

THE OCCUPATION OF HEATHER ROSE by Wendy Lill
Directed by Jean Hughes
November 10 - 19, 1988

HERRINGBONE by Tom Cone
Directed by Cindy Anderson
January 12 - 21, 1989

BOILER ROOM SUITE by Rex Deverell
Directed by Ken Lefebvre
February 23 - March 4, 1989

STRAIGHT AHEAD/BLIND DANCERS by Charles Tidler
Directed by Brian Morton
March 16 - April 1, 1989

STORIES by Paul Benedetti, Wayne Mcphail and
Kevin Von Appen
Directed by Jean Hughes
April 20 - May 6, 1989

HOW COULD YOU MRS DICK by Douglas Rodger
Directed by Guy Sprung
June 1 - 16, 1989
Studio Theatre Hamilton Place

1989/1990

ROUGH IDLE by Alun Hibbert
Directed by Michael McKeever
October 19 - November 4, 1989

BILLY BISHOP GOES TO WAR by John Gray
Directed by Pat Dawson
November 16 - December 2, 1989

SALT WATER MOON by David French
Directed by Christopher McHarge
January 25 - February 10, 1990

UNEXPECTED MOVES by Gene Gray
Directed by Pat Dawson
November 16 - December 2, 1989

PEGGY'S SONG by Garrad
Directed by Ned Dickens
April 12 - 12, 1990

THE KINGPIN by Shawn Selway
Directed by Eric Steiner
May 24 - June 9, 1990
Studio Theatre Hamilton Place

1990/1991

WRITING WITH OUR FEET by Dave Carley
Directed by Kevin Land
October 1 - 27, 1990

THE ART OF WAR by George F. Walker
Directed by Chris McHarge
November 14 - December 1, 1990

THE CHINESE MAN SAID GOODBYE
Directed by Chris McHarge
January 25 - February 9, 1991

SEASON INCOMPLETE

THE CORPORATION OF THE CITY OF HAMILTON

LAW DEPARTMENT

MEMORANDUM

TREASURY		
1992 JAN 17		
ROUTE	REC'D	
E.C.M.		
I.R.H.		
T.W.D.		
N.R.A.		
T.S.		
G.D.		
A.N.		

TO: Mr. R. Hammel
Acting City Treasurer
Treasury Department

YOUR FILE:

FROM: D. A. Powers
Law Department

OUR FILE: 142-0/90.1
PHONE: 546-4641

SUBJECT: - Rights of City as lender to
Theatre Terra Nova
- Theatre at 177 Sherman Ave. N.

DATE: 1992 January 17

You inform us in your January 3, 1991 memo that this borrower, Theatre Terra Nova now requests that the City agree to accept a \$100.00 monthly mortgage payment in place of the \$1,339.00 payment required by the terms of the mortgage loan approved by Council.

You inquire as to what are the alternative remedies of the City if the mortgage payments are not reduced and this borrower is in default of making its \$1,339.00 payments.

The collection rights of the City under terms of the mortgage are as follows:

1. Declare that due to default of payments required by the mortgage that the full balance of the mortgage is now due the City and give this borrower Notice of Sale. This Notice of Sale would provide that unless the mortgage owing is paid in full within 35 days, the City may offer the Theatre for sale on the open market.

I understand that the Property Department has commented on whether a sale in this market would be sufficient to cover the mortgage debt. If not, then following the deficient sale, the City would have to sue this borrower for judgement to attempt to collect the balance owing.

The success of recovering a deficiency pursuant to this judgement depends on whether this borrower's organization has any other tangible assets which the City could seize. You are in receipt of a Statement of the Assets and Liabilities of this borrower.

2. Secondly, the City could, due to default of payments under the mortgage, take court proceedings to acquire full ownership of the Theatre in the City's name by foreclosure. The City's only remedy in this route is that the City becomes the owner of the Theatre with no right to go after the borrower for any part of the loan.

3. Thirdly, the City, due to default in mortgage payments, could sue the borrower and obtain Judgement against it for the amount of the unpaid loan. As explained in paragraph one above, the effectiveness of this remedy is significantly limited to the value of other tangible assets owed by the borrower.

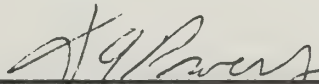
I trust this outline of the City's position as lender holding the first mortgage on the property answers your inquiry.

In the event that a decision is made by Council to approve the borrower's request, such approval should include the following.

4. That the monthly mortgage payments due the City from Theatre Terra Nova (Theatre Focus (Hamilton) Inc.) be reduced for a period of one year commencing September 1, 1991 from the present amount of \$1,339.00 to a new amount of \$100.00 per month on the following conditions:

- (a) That the borrower enters into a Mortgage Amending Agreement with the City;
- (b) That the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment for a maximum of one year provided during that period he keeps taxes and insurance obligations in good standing;
- (c) That the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;
- (d) That the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms.

In addition, you will have to recommend what interest will be applicable during the one year of reduced payments and how the \$100.00 payment shall be applied. This should be part of a recommendation for a Mortgage Amending Agreement.


 D. A. Powers, Manager
 Development & Real Estate Services

DAP:cv

cc: Mr. R. Sugden, Director, Culture & Recreation
 Attention: Ms. C. York
 cc: Mr. D. Vyce, Director of Property

CORPORATION OF THE CITY OF HAMILTON

MEMORANDUM

TREASURY	
1992 JAN 8	
ROUTE	REC'D
E.C.M.	
I.R.H.	
T.W.D.	
N.R.A.	
T.B.	
G.D.	
A.N.	

TO: Mr. R. Hammel
Acting Treasurer
Treasury Department

FROM: Mr. M.C.J. Watson
Manager, Real Estate Division
Property Department

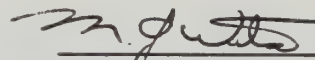
OUR FILE:
PHONE: (416) 546-4504

SUBJECT: Theatre Terra Nova
177 Sherman North

DATE: 1992 January 7

To confirm our previous conversations and our January 2, 1992 PROFS message, we believe the City will be unable to recoup the full mortgage amount if the property is taken back under Power of Sale due to the present poor market conditions and the 100% loan to value ratio.

With this in mind we would be prepared to support an amendment to the mortgage agreement to allow reduced payments for one year; all other conditions of the mortgage to remain the same.


M.C.J. Watson

MCJW:ag

c.c. Mr. D. W. Vyce, Director of Property

CITY OF HAMILTON
- RECOMMENDATION -

1(c)

DATE: 1992 February 17

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. J. G. Pavelka, P.Eng.
Acting Chief Administrative Officer

SUBJECT: PERFORMING WILD ANIMALS IN CIRCUSES

RECOMMENDATION:

- (a) That the report and petition dated 1991 October 16 from Allies for Animal Rights recommending that the City of Hamilton enact legislation to prohibit the inclusion of animal acts in all circuses performing in Hamilton be **RECEIVED**.
- (b) That the Association of Municipalities of Ontario be requested to investigate the possibility of developing model draft guidelines and regulations to ensure the highest quality of husbandry and welfare would be consistently provided to circus animals operating throughout the Province of Ontario for presentation and debate at an annual conference.

FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

J. G. Pavelka

BACKGROUND:

As this subject appears to be of significance and importance to all Municipalities in Ontario, the Association of Municipalities of Ontario should be requested to formulate policies and requirements to ensure that the highest quality of husbandry and welfare would be consistently and uniformly provided to circus animals performing in municipalities throughout the Province of Ontario. A set of guidelines consistent to all Ontario Municipalities would eliminate the development of separate policies within each municipality.

Box M - 529 Concession St.
Hamilton, Ontario
L8V 1A7



Phone: 527-1548 or 561-5169

OCT 17 1991

October ¹⁶/₈, 1991

Alderman Brian Hinkley
Chairman, Finance & Administration Committee
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Hinkley:

Re: Prohibition of Animal Acts in Circuses in Hamilton

Enclosed is a report on the treatment and living conditions of circus animals compiled by Allies for Animal Rights (AFAR) for the Finance and Administration Committee's consideration. Included in the report is a petition requesting that the City of Hamilton pass legislation prohibiting the inclusion of animal acts in all circuses performing in Hamilton.

We request that copies of this report and petition be circulated to all the members of the Finance and Administration Committee. Please let us know if our organization can make a presentation to the Finance and Administration Committee regarding this issue at its next regular meeting in October.

Lisa Blaney

Lisa Blaney

Ken Bontius

Ken Bontius

Respectfully,

Liz Crozier-Organ

Liz Crozier-Organ
627-0919

Catherine Frid
Catherine Frid

Cathy Helling
Cathy Helling
561-5169

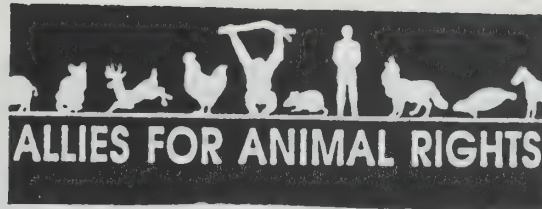
Sarah Retzer
Sarah Retzer

Anita Saczyk

Anita Saczyk

Lori Snyder

Lori C. Snyder



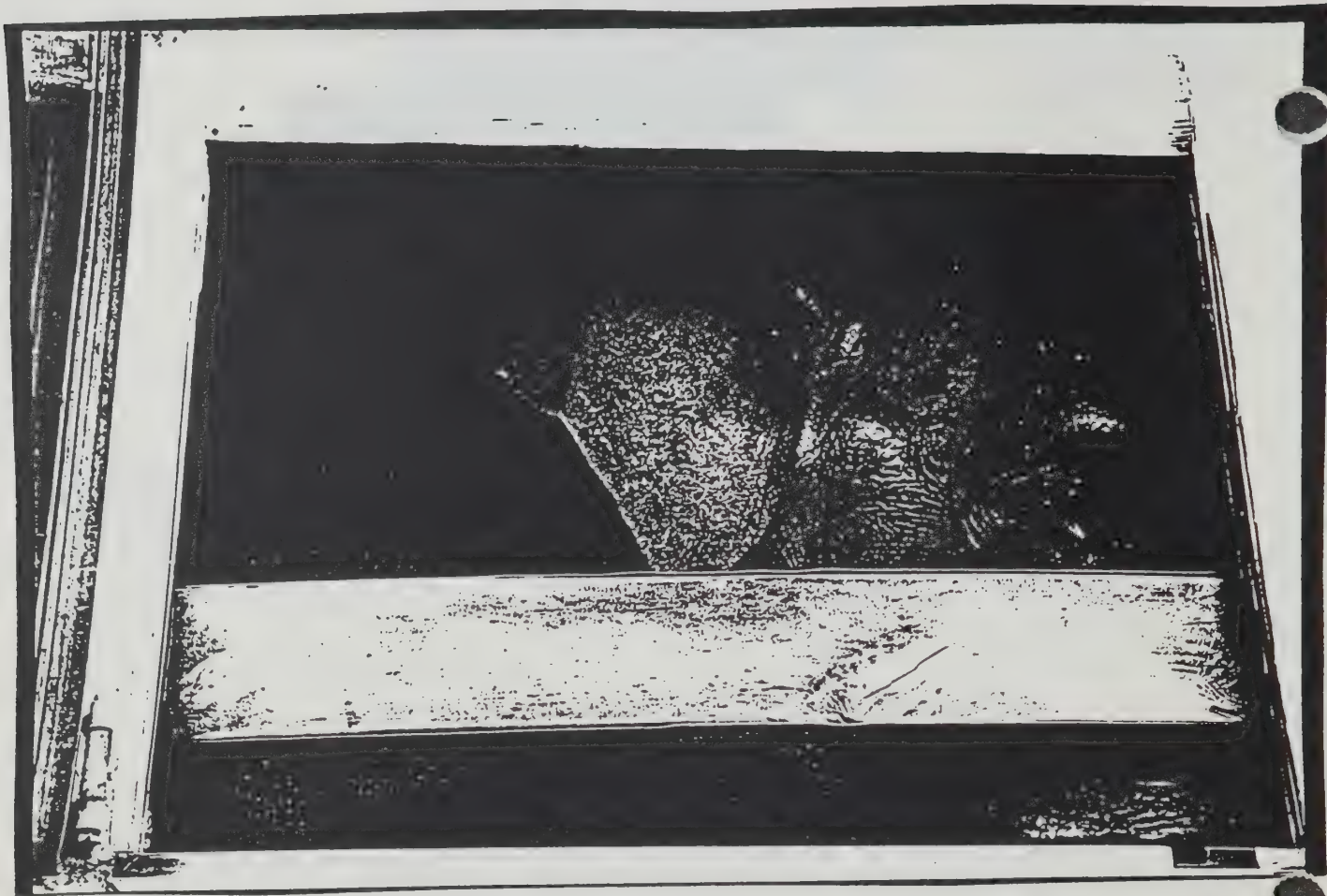
A WORLD WITH NO DANCING BEARS

A CASE FOR BANNING PERFORMING ANIMAL ACTS
IN THE CITY OF HAMILTON

SUBMITTED TO
THE FINANCIAL AND ADMINISTRATION COMMITTEE
CITY OF HAMILTON

BY ALLIES FOR ANIMAL RIGHTS

OCTOBER, 1991



Soaring Bros. Circus - 1989 - Dundas
(Dondi the Super Performing Elephant)

"The holocaust of the animals today will be our's tomorrow. But this is not inevitable provided we, collectively as a species and individually as planetary citizens, awaken to the plight of animals and of the environment, and act with responsible compassion."

Dr. Michael W. Fox. Inhumane Society: The American Way of Exploiting Animals. St. Martin Press, N.Y., 1991.

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FORWARD

"To these jaded eyes, there's absolutely nothing amusing about watching while these beasts are stripped of their natural dignity and made to perform ridiculous routines. My complaint isn't about the care and feeding of the bears but about reducing them to ursine clowns for the supposed enjoyment of human audiences. Truly the sight of these huge animals dancing about on two feet is depressing and pathetic. And in this environmentally conscious age, they are an unfortunate throwback to a barbaric past."

(Christopher Hume, Humans amazing, but animals sad in old-fashioned Moscow Circus, Toronto Star, Summer 1990)

This article articulately sums up the difference between the welfarist approach to the issue of performing animals and the animal rights approach. The welfare approach, generally, seeks bigger cages, kinder training & treatment, proper food, inspection by SPCA officers and the like. However, the show goes on. The animals are still kept as slaves albeit slightly better treated slaves. The animal rights approach states that animals are not here to be used by people; that circuses, carnivals and other venues for animal acts represent a decadent form of exploitation and ought not to be allowed.

In view of the usual welfare stance taken regarding circus animals, Allies for Animal Rights (AFAR) was heartened by the Hamilton Society for the Prevention of Cruelty to Animals' (HSPCA) request for a prohibition of circus animal acts in Hamilton in October, 1990. We feel that this is an enlightened move on their part and we are therefore encouraged to approach the Finance and Administration Committee to present our views on this issue.

AFAR wholeheartedly agrees with Alderman Terry Cooke's statements made in a news report appearing in the Hamilton Spectator, October 5, 1990:

"Is it right to promote the use of wild animals and have them parade with bells on for our children's enjoyment? What message does that send our children when we say "here is your view of nature"? All we are saying is we should not sanction the use of public buildings we own to have people take animals and put them on a pedestal as some kind of sideshow freak. It is degrading to us and to the animals."

AFAR hopes that other members of the Committee will also show this same insight into the plight of animals who are made slaves for our amusement. It is our submission that the Committee pass legislation prohibiting performing animal acts in the city of Hamilton.

In whatever arena animals are made to perform, they are treated as mere means to human ends, they are often caused more than incident pain, and are often subjected to severe and protracted deprivation. When we patronize these forms of entertainment, we support those commercial interests that reduce the value of animals to the status of the purely instrumental. We do not have to train, exploit, outwit or out-muscle animals, or to support those who make a profit from doing so, in order to take pleasure in their presence and beauty. (Animals' Agenda, April, 1989)

The notion of "entertainment" is a purely human one. By bringing animals into the realm of entertainment we bring them into a world beyond their comprehension. They cannot possibly understand what is happening to them or the reason for it. That any of them adapt at all to this foreign lifestyle says much about their psychological strength. It is blatant cruelty to take wild animals who have evolved complex social and biological needs and deprive them of a proper environment.

Any serious examination of animals in entertainment will point up several inherent drawbacks. First, the animals' conquest is predetermined and absolute: they have no choice but to be there, doing exactly what we decide they will do. Secondly, animals are rarely trained to develop inborn potentials for strength and endurance in order to enter contests fitting their nature and abilities, as would be the case with human performers. Rather, we force them to contort both physically and psychological to our wildest fantasies. Performing dogs, for example, frequently injure their backs trying to learn to do a backward flip. Thirdly, again unlike humans, animals never receive adequate compensation for their work. Animals face no possibility for reward: instead, they are doomed to work for as long as they are useful, often spending days or weeks in agitated and stressful transport, only to be worked again and transported again, on and on. (T.O. Beelzy, People for the Ethical Treatment of Animals)

For some antiquated reason, parents seem to feel an obligation to take their children to the circus. This may be due to advertising aimed at children and the children's consequent use of "pressure tactics" to get their parents to take them. However, what child could possibly enjoy witnessing animals forced to perform humiliating tricks unless they have been educated before hand to accept the notion that animals are there for our use. As well, children and parents are never told exactly how these animals are trained or their living conditions. To a child's eyes perhaps it looks like these animals are having fun, that the tricks come naturally and they really love entertaining people, especially if they know nothing about the animals natural lives. How could a child realize how deprived circus animals are if they don't know of what they have been deprived?

On the other hand, we teach children about endangered species and try to engender in them a sense of responsibility toward other beings. If we are sincere in this, and if we truly love our children, then why destroy what they

have learned by teaching them that it is socially acceptable to laugh at brutalized animals performing humiliating tricks?

The first year AFAR protested a circus in Hamilton we received a letter from two young boys telling us how they had become extremely upset when they witnessed one of the performing horses fall and the rider start beating it with a whip. Such incidents are rarely witnessed because the audience is constantly presented with a glitzy, razzle-dazzle performance of sparkling colours, lights and music that veils the suffering of the animals.

A circus is no place for an animal. A human may be mistreated, but a human can speak for himself. No human in a circus today is confined to a tiny filthy cage or beaten into performing. Our society wouldn't tolerate such inhumanity; we have come a long way from the days of freak shows. Yet we ignore such cruelty when it happens to helpless animals. Perhaps the pervasive and ill-informed belief that animals are dumb, unfeeling, and below humans on an outdated Aristotelian scale, gives our species carte blanche in how we treat these fellow creatures.

At a time when concern for our planet has reached unprecedented proportions many of us envision a greener, cleaner world. Allies for Animal Rights envision such a world as well, but our vision is of a world with no dancing bears.

TRAINING

The notion of "training" firmly places humans in a master relationship with the animals as their slaves. It puts the animals in situations where abuse is a natural outcome in cases where complex tricks foreign to their nature are to be learned and where the master stands to profit from the animals' performances.

The following is from Animals in Circuses, a report done by the Royal Society for the Prevention of Cruelty to Animals, Great Britain:

A number of methods are used to make an animal perform. Obviously, the trainer can only use signals, not direct physical force, during the performance, and so the untrained animal must be taught to recognize the trainer's signals during the initial training period. By baiting, luring, triggering of escape and aggression impulses, or by direct physical force, the animal is made to perform the required movements repeatedly until eventually all that is required is the appropriate 'trigger'.

Ear and tail movements, facial expressions, body postures and vocalisations provide a fairly accurate indication of an animal's fear. In the circus ring, the big cats frequently display these signals very clearly. They will often respond to the trainer's commands by slinking across the ring, belly close to the ground, ears flattened, sometimes snarling loudly. A clear indication of fear. Aggression is often the first response to fear, and a lion or tiger may be seen to paw threateningly at an outstretched whip.

Circus elephants are obtained either as youngsters wild from Africa or from Asia where the Indian elephant has been domesticated for centuries. In the case of the African elephant, the animal has initially to be made controllable and this is achieved from a combination of coaxing, rewarding, restraint and direct physical force. The young elephant is restrained by lassoing a fore and hind foot which are then tied to stakes or rings, firmly secured to the floor or ground. In due course the rope is replaced by chains and shackles.

Even a young elephant may need a considerable amount of control and it is imperative that it should quickly learn who is in control. Contrary to popular belief, the elephant's hide is sensitive and the animal is quite conscious of even light jabs on a number of areas on its body. The primary function of the elephant hook is to control the animal from behind the ear (which is particularly sensitive), to pull forward a leg or jab the animal in a sensitive area, to make it move in a particular direction. In the circus this hook is commonly abandoned in favour of a walking stick sometimes with nails concealed in the crook and tip. Following the initial conditioning with the hook, it then only takes a light reprimand to make the elephant react.

For some acts, such as a headstand, the elephant is forced into the position the trainer wishes it to learn. As human strength is often insufficient to put the animal through the action required, an elephant which has already been trained may be used to push the untrained elephant into the desired position. Sometimes pulleys may be used. The pedestals used in such acts are highly significant since the animal is prevented from moving off the

spot while in this unnatural position by fear of falling, which for an animal of such immense size is very dangerous.

There is no doubt that animals have been trained by cruel, brutal methods, a fact acknowledged by David Taylor, an independent zoo veterinary consultant, broadcaster, and Consultant Veterinary Officer of the Association of Circus Proprietors in Great Britain in his book Zoo Vet.

Why would circus animals endure the many long months of painful progress toward a goal they did not (and would never) choose for themselves? The answers lies in the plain fact of brutal relentless punishment. The trainer of such performing animals knows that however unappealing a particular stunt may be to an animal, the punishment for failure must be significantly worse. In that way the animal will choose the stunt over the punishment. When humans and animals perform together, the animals must be made to understand that a single wrong step will mean his own well being is at stake.

Because shows of this type depend for their very existence on routine practices of cruelty, yet masquerade as acceptable family entertainment, their flagrant disregard for the animals never reaches public view. We see the polished end-product, for the most part a fool-proof act where threatening displays by the trainers need only be a certain gesture, a look, a tone of voice. Signs of barbarity disappear, and in their place appears a facade of gaiety. (People for the Ethical Treatment of Animals)

Although it is very rare for the audience to witness harsh treatment of animals when they are performing there is one reported case from Las Vegas involving the Moscow Circus (Animals' Agenda, November, 1989). One of the performing bears refused to climb a ladder. He was hustled off stage to an area behind a curtain. A member of the audience, who watched the bear and its handler leave the stage, witnessed the handler strike the bear with steel rod. "The bear couldn't escape, although he tried, because he was on a leash. We were about 100 feet from the bear and I know we weren't the only ones who saw it happen." After the bear's brief retraining session, he ran dutifully back on stage and climbed the ladder. "When the bear left the stage again I saw somebody kick him," reported the witness.

The witness tried in vain to report the incident to the proper authorities and have charges laid. "The best thing to come out of all this is that my children will grow up thinking differently about the circus than I did. My son asked me if there will ever be a circus without animals that we can go to." Pat Derby, president of the Performing Animal Welfare Society says, "this may be the first time a member of the public has seen what really goes on at circuses. People like myself who have seen bear trainers work know what goes on, but the public generally doesn't because most people don't get to watch circus animals being trained. Bear training can be especially rough. The classic method of breaking bears is by hitting them across the nose." Such a training method often results in bears with their noses broken.

Trainers are as loath to rehearse in public as magicians are. Nevertheless, reports from behind the lines and the random confessions of circus affiliates belie trainers' claims that they use gentle, loving methods to persuade their animals to perform.

Thirty years ago in his book, The Circus Kings, Henry Ringling North described the prevailing technique used in training lions and tigers: "It is not usually a pretty sight to see the big cats trained ... they are all chained to their pedestals and ropes are put around their necks to choke them down and make them obey. All sorts of other brutalities are used to force them to respect the trainer and learn their tricks."

Twenty-five years later this beat-'em-into-obedience philosophy had not been modified. Nick Connell, a reporter who travelled with Ringling Brothers circus, wrote that while the Antalek chimps were being trained for their four-on-a-bicycle routine, Louie, the lead chimp, was struck repeatedly with a sturdy club every time he caused the bicycle to fall. "The thumps could be heard outside the arena building," wrote Connell, "and the screams farther than that."

In addition to the severity of training methods, the tricks circus animals are obliged to perform can be harmful in themselves. According to Action for Animals in Oakland, Calif, jumping through flaming hoops is stressful for any animal; standing on their heads can produce hernias in elephants; walking on tightropes is painful to lions' and tigers' feet; and riding bicycles or motorcycles is dangerous for bears because of their poor eyesight.

Jean Goldenberg of the Washington Humane Society which has called for a national boycott of the circus, says "We think our society is sensitive enough now to understand that going to see baboon in skirts riding bicycles is no longer funny. It is time the public saw the other side of the circus. It is only the fear of beatings, hook punctures, paw burnings, and worse that produces much of the unnatural behaviour seen in circus acts. If the public could see, we think people would demand that animals acts be abolished."

GENERAL TREATMENT

Years of careful study by eminent scientists and zoologists reveal beyond doubt that certain symptoms exhibited by performing animals indicate fear, frustration or boredom. Some studies of old and retired circus animals reveal gross distortions of behaviour brought about by years of close confinement and subjection to an unnatural regime. (RSPCA - Animals in Circuses)

The circus most often cited for cruel treatment of animals has been the Moscow Circus, which has had bad reports following its many world tours.

The following reports, of various dates over a period of two years, are from The Animals' Agenda:

The Moscow Circus animal acts have again drawn protest at every U.S. and Canadian stop. Veterinarian Holly Cheever, who inspected some of the animals and interviewed circus officials in Albany, N.Y., reported that "the tigers were greatly overcrowded in their exercise cage; the horses suffered a serious viral disease outbreak in Canada, and four died from colic; and the bears were diagnosed as vitamin-deficient" by another vet. Cheever wasn't allowed to see the bears offstage.

The Moscow Circus lost at least 15 animals to a tent fire in Istanbul. Llamas, horses, kangaroos, and dogs were trapped in their cages.

The Moscow Circus met an unprecedented wave of protests on behalf of the bears in at least twelve cities across Australia, Canada, and the United States.

In Canada in August, 1988, as demonstrations and meetings with humane officials failed get results, the Toronto Humane Society (THS) filed cruelty charges against the circus tour sponsor, Concert Productions International. THS had lined up expert witnesses from the Washington D.C. Zoo and the Swiss Academy of Veterinary Science to testify that the cages were too small. The Circus has a history of cramming 300-pound bears into three-foot by five-foot by four-foot cages for up to 20 hours a day. When David Bain, inspector for THS, visited the Moscow Circus enclosure there was no water in the bears' cages, which were too small to allow the bears to stand upright. The cages had wooden walls on three sides and lacked built in watering facilities. The circus had been warned the year before in Ottawa that the cages were too small.

After Bain's visit, THS gave the Moscow Circus 48 hours to supply larger cages and constant access to fresh water for the bears. When the circus failed to comply, the humane society filed criminal charges with an Ontario judge; but by the time the charges were considered and dismissed, the Moscow Circus had continued on its tour.

In November 1988 two members of the Michigan Humane Society visited the Moscow Circus and found the same conditions David Bain had found in Toronto.

When the Moscow Circus returned to Toronto a year later, this time setting up at the CNE, THS workers were barred from the circus grounds after inspectors again found that the bears' cages were too small.

While the atrocious treatment of the Moscow Circus animals has received a great deal of attention, animals in other circuses are no better off. Members of APAR have witnessed the animals performing for Garden Bros. Circus and the Shriners' Circus -- elephants kept chained by front and back legs; tigers, lions and bears in tiny cages, and horses kept in narrow filthy stalls. The trucks used to transport the lions, tigers and elephants were narrow, crowded, ill-ventilated and dirty. The lions and tigers were never out of their tiny cages, which are wheeled in and out of the trucks, except to perform. The animals were kept in a parking lot area exposed to the elements. In the case of the Shriners' Circus this meant the animals endured blazing heat. An elephant used for giving rides to children had a whip used on it. Another elephant used for giving children rides at the Sparling Bros. Circus had a hooked used on it to make it move.

Allies for Animals Rights has also been approached by two previous circus employees, one of whom worked for the Moscow Circus, who stated that they quit because they were so disgusted and angered by the way the animals were treated. One stated that he had witnessed elephants beaten with clubs.

Reports on other circuses from the Animals' Agenda include the following:

The Soviet Great Circus Bim Bom abandoned their animals when they became insolvent in Newburgh, N.Y. The animals spent the summer "in the same cages they came over on the boat in," said an investigator for the Humane Society of the United States (Lisa Landres). A grizzly bear, three lions, several primates and 13 dogs barely had space to move, and were not being exercised by their guardians, the Alex Nichols Agency Inc. of Elmont N.Y.

The Carson-Barnes and Kelly-Miller circuses "shave" their elephants' backs with a propane torch so showgirls won't snag their stockings.

The Royal Palace Circus abandoned two lions and two tigers in a Puerto Rican Park. The animals were consequently seized by the USDA.

In an article on circus animals in the Animals' Agenda, November 1989, the mistreatment of animals was well documented:

When Ringling Brothers disembarked in Washington D.C. this year, (1989) representatives of the Washington Humane Society saw "animals appearing frantic for food and water, elephants with fresh sores and old scarring, and several handlers using hooks to beat elephants repeatedly as they walked in line."

Commented an employee of Circus Vargas: "I really feel sorry for the tigers. Think how you'd feel if you had to spend all your

life in one little spot, and the only time you got out was when you did the show. And the elephants, they're always chained. Just like prisoners."

When circus animals are not in the ring or in training - that is, for 95 percent of their lives - they are entombed in small cages, many of them scarcely large enough to turn around in.

One Humane Society of the United States investigator learned while visiting a circus in the Midwest, "After the rhino and elephant had gone through their acts, they were chained all day in the heat with no relief."

When they come to the end of their usefulness to the circus, and some circus elephants have been known to perform for as long as 40 years while some tigers last as long as 20, the animals do not retire to some idyllic existence. Rather they are sold to one of the minor-league circuses. Failing that, an animal might be peddled to a roadside zoo where he will languish in a cage. Some former circus animals are sent to exotic game ranches, where they are shot "on safari" - often at point-blank range. Others are sold to zoos. The elephant that killed a handler at the African Lion Safari a few years ago had been a circus elephant. Other retired circus animals are condemned to less merciful fates in the research laboratory.

Pat Derby (Performing Animal Welfare Society) says that when chimpanzee trainer Mickey Antalek died, Ringling Brothers sent the chimps to a research lab in New Mexico. The Antalek chimps might have died at the hands of researchers if the International Primate Protection League, the Elsa Wild Animal Appeal of Chicago and other groups had not taken up their cause. The chimps were released from the laboratory after six months and sent to live out their retirement in Florida.

PHOTOGRAPHS



Shrine Circus - Summer 1989 - Hamilton



Garden Bros. Circus - May 1990



Garden Bros. Circus - May 1990 -



Garden Bros. Circus - May 1989 - Hamilton

ALTERNATIVES

It is possible to have exciting entertaining circuses without animal acts. Cirque du Soleil from Montreal and the Circus Hassani in England do not employ animals in their shows.

The motto of the Canadian based Cirque du Soleil is: "We reinvent the circus." Staff from World Society for the Protection of Animals attended a performance of this circus in Toronto in 1988 and were treated to an experience that was not only entertaining, but one that was uplifting and encouraging - a circus that does not use animal acts. Instead of watching lions and tigers cringing to the crack of a bullwhip, or demeaning and depressing acts, audiences were enthralled by dazzling displays of acrobatics and feats which tested human agility and endurance. However, even more encouraging than the absence of animals, was the record crowds which attended each day, indicating that we are moving ever closer to the day when the spectacle of wild animals performing for the amusement of the human masters, will become a relic of the past.

In contrast there are still the holdovers, such as Circus Vargas, which cling to the historic tradition of animal exploitation. Circus Vargas, which is only 20 years old, is the world's largest travelling big top circus, with a four story tent that holds 5,000. The circus performs 600 shows in 100 cities each year. In this and other circuses, "Horses, ponies and elephants are permitted to see men, women and children acting the fool."

Most recently, Le Cirque Archaos is a non-animal act circus which has enjoyed success in Toronto. While a Hamilton Spectator article has criticized this circus as being violent, and therefore shocking to some spectators, APAR wishes to point out that circuses that use animals are more violent -- but, because the violence is perpetuated against helpless animals, it is socially acceptable. If people find violence, or the depiction of violence, entertaining then let them go to circuses where human performers, who can speak for themselves and can choose what they do, are willing to give the audience what it wants.

FUNDRAISING

Circuses are often used as fundraising events for charitable causes. While AFAR has nothing against circuses that do not use animals being used for fundraising, the following excerpts from an article written by Jim Foster for the Toronto Star, July 1, 1989, throws tremendous doubt on whether or not circuses, such as the Shrine Circus, really benefit from this method of fundraising.

For every \$10.00 the Shrine Circus takes in, less that \$3 goes to the Shriners' Charitable works. ... The rest goes to two millionaires, Geoff Pickering and Mike Platz. They run Canada's biggest independent fundraising firm, GWE Consulting Group. ... It specializes in hustling money by telephone. It keeps at least half of what it raises by "donor acquisition". Usually it gets the lion's share - up to 80 percent.

Of the \$2,170,000 raised by circuses for the Shriner's Toronto-based Rameses Temple in 1986, \$300,000 went to charity. That 14 per cent slice increased to 28 percent in 1987 and 29 percent in 1988, but 20 percent is still common for Shriners who contract the circus in other jurisdictions. The question is: "Shouldn't donors know how much of their money goes to charity?"

It is commonly thought that charities get at least 80 percent of funds raised, but that law applies only to donations for which income tax receipts are issued. It does not apply if you buy a ticket to the circus or variety show or agree to buy one for "a less fortunate individual", or just pledge money without asking for a receipt. Phone canvassers ask people if they'd like to attend or, alternatively, buy a ticket for a child or senior citizen who couldn't go otherwise.

Paul Schwartz, a previous employee of GWE who used to run many of GWE's campaigns claims it oversells tickets. He said in an interview, "enormous oversells" of tickets are routine for the Shrine Circus and for other touring shows." Schwartz said he learned that 90 per cent of ticket-buyers called at home and 99 percent of executives called at the office prefer "sponsoring" a seat to attending. "If all those kids who are supposed to be sponsored ever showed up, there'd be a riot," he said. "They know how many will actually go to a performance. They want to sell you an afternoon seat for some handicapped kid. And they sell it again, and sell it again"

Gordon Cressy, a former United Way chairman who is now helping the University of Toronto raise money said this about GWE Consulting Group, "Unacceptable. Unethical. I would advise people to stay away from them."

The Shriners says circus costs eat 55 to 60 cents of every dollar GWE raises on telephone appeals. Which leads one to wonder whether circuses are the best method of raising funds for such important charitable causes as sick children.

GWE also started noting on circus tickets and programs that proceeds "are not exclusively for Shrine hospitals for crippled children."

Bob Hall, the Rameses Temple's top official, conceded the "ungodly cost" of the circus but couldn't think of a replacement. "For as long as anyone can remember it has been the Shrine Circus and we're it," he said. "People get a kick out of just watching the tent go up. You get that old time feeling. It sells."

It is AFAR's submission that if the Shriners wish to continue using circuses to raise money that they should approach circuses such as Cirque de Soleil. When the public begins to realize "that old time feeling" includes nostalgia for immense animal suffering as well as cotton candy and clowns, and that very little of their donations actually reach the charity for which they are intended, the circus tents will begin to empty.

PRECEDENTS

While the notion of a complete ban on circus animal acts may seem radical, it is not without precedent.

Effective March 1, 1991, Indian environment minister Maneka Gandhi banned circuses from training or exhibiting tigers, monkeys, bears, panthers and dogs. (Animals' Agenda, June/91)

130 town and district councils in England have refused to allow circus that employ animals to perform on council-owned land.

Metro Toronto in 1989 considered regulations to keep animals in circus and shopping mall displays from being shut in small cages and otherwise abused. The parks committee agreed to have the Metro Licensing Commission report back on possible rules for animal care. (T.O. Star Oct. 5 1989) As of October 11, 1991, these regulations are still pending approval.

The Moscow Department of Animal Welfare (MDAW) put forth a proposal for circuses without animals, or at least without wild and exotic animals, to the Ministry of Culture. The MDAW argued that a circus act involving animals is a show guaranteed to cater to primitive and infantile tastes among adults, while teaching the young, under the guise of entertainment, insensitivity toward fellow creatures.

The Coachella Valley Narcotics Task Force (CVNTF) (Calif.) has informed Californians for the Ethical Treatment of Animals that this year's fundraising circus will be the least. "I did a little investigation on my own and it really opened my eyes to learn how these animals are actually taught to do certain tricks and how some of these animals are transported from place to place." wrote CVNTF detective Bryan Anderson.

Given the above precedents and the more than 700 signatures on the attached petition, it is submitted that the Committee has support for enacting legislation prohibiting circus animal acts in Hamilton.

SUMMARY

Even if circus animals were kept in palatial lodgings when they weren't performing and dined each day to contentment on sumptuous meals, even if they were transported in climate-controlled luxury and spent only three months of the year on the road, even if they frolicked the rest of the year on mammoth estates and retired to glorious plantations when their careers were through, one could argue - and rightly so - that removing animals from their natural habitat by stealth or by captive breeding and enjoining them to perform for the benefit of others is not justifiable. (Animals' Agenda, November 1989)

The psychological quirk called denial enables us to commit many atrocities. Our denial of animals' spiritual, mental and emotional lives; their dignity, intrinsic value, and their equality of needs and rights within the natural order of this planet has meant that we have, for thousands of years, forced millions of animals to live through a hidden holocaust.

It is our sense of compassion and empathy that makes us a humane species. Yet, our evolution in compassion has been exceedingly slow. Compassion and empathy dictate that we do not make of ourselves a "master species". We recognize that keeping human slaves is wrong. We now recognize that women are persons with rights. We recognize that children suffer in ways we never realized. Some of us even see clearly how the planet is suffering. However, we have yet to extend our circle of compassion to the realm of non-human species.

While the variety of animal suffering seems so infinite that one hardly knows where to begin to relieve it, keeping animals out of circuses, carnivals and the like is as good a beginning as anywhere. No one can argue that we need to see animals perform funny tricks. No one can possibly claim that they are being deprived if they don't get to see a tiger jump through a flaming hoop or a bear riding a motorcycle.

It is hoped that this report has served its purpose in providing insight into the plight of circus animals and demonstrated that, not only is a prohibition of circus animal acts possible, it is mandatory. It is AFAR's hope that the Finance and Administration Committee, after reading this report, will reach the logical conclusion that a circus is no place for animals and will pass legislation prohibiting the use of animals in any circus performing in the city of Hamilton.



Garden Brothers Tigers - May, 1990 - Hamilton

There is reason for some long-range optimism about human psychology. As we develop in infancy, our capacity to act on impulse matures before our capacity to inhibit or modulate those actions. So, we go through a stage in which we babble, wet ourselves, and throw and break objects. Only later do we learn to speak, to control body functions, and to explore the nature of objects without breaking them.

Civilizations mature in the same way. We developed the capacity for the most grotesque aggressions before we learned, gradually, to inhibit those actions. We gave up cannibalism. Human slaves were freed. Most of have realized that wife-beating is unacceptable.

With animals, we're just emerging from the babbling, wetting, destroying stage. One day we will look back in embarrassment and shame at the suffering we have caused them for so long.

(Dr. Neal D. Barnard, President, Physicians Committee for Responsible Medicine, USA)

SOURCES

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The Animals' Agenda, November 1989.

The Toronto Star

The Hamilton Spectator

BOOKS:

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Fenton, D.X. Behind the Circus Scene. Schroeder, Howard (ed.). Crestwood House, 1980.

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ANIMAL PROTECTION ORGANIZATIONS:

Action for Animals (California)

The Hamilton Society for the Prevention of Cruelty to Animals

Humane Society of the United States

People for the Ethical Treatment of Animals (US)

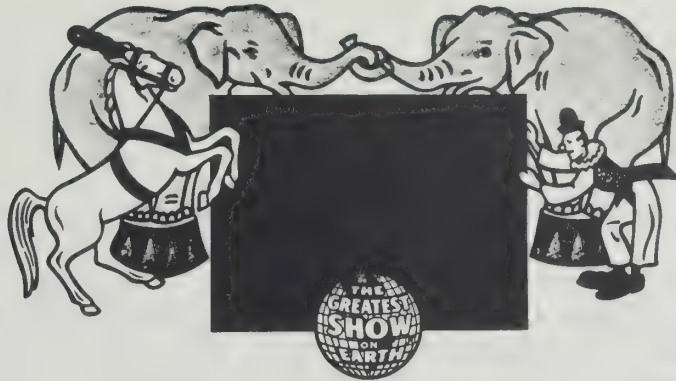
Performing Animal Welfare Society (US)

Royal Society for the Prevention of Cruelty to Animals (Great Britain)

Toronto Humane Society

Washington Humane Society

The World Society for the Protection of Animals



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December 20, 1991

JULIE ALEXA STRAUSS
Assistant Vice President
Corporate Counsel

VIA EXPRESS MAIL

Mr. Brian Hinkley
Chairman, Finance & Administration Committee
The Corporation of the City of Hamilton
City Hall
Hamilton, Ontario L8N 3T4

RE: AFAR Report Regarding Circus Animals

Dear Chairman Hinkley:

The report submitted by Allies for Animal Rights ("AFAR") asks that the City of Hamilton pass legislation prohibiting the inclusion of animal acts in all circuses performing in Hamilton. Ringling Bros.-Barnum & Bailey Circus is opposed to the position taken by AFAR and respectfully requests that the City of Hamilton not adopt AFAR's proposal.

Ringling Bros. -Barnum & Bailey Circus ("the Circus") has been handling animals for approximately 120 years and, consequently, is regarded as being one of the world's leaders in both experience and knowledge regarding the needs and successful husbandry of animals. Ringling Bros. is the largest live entertainment enterprise in the world and in recent years has expanded its entertainment programs to include the "Disney On Ice" ice show tour. Both our Circus and Ice Shows have performed and are scheduled to perform before audiences in Hamilton or other cities in Canada.

Ringling Bros. is proud of its long-standing and excellent history of health with respect to the care and treatment of its animals. Furthermore, Ringling Bros. supports the principle that everyone who transports and exhibits animals must meet certain standards and comply with appropriate guidelines in order to exercise the privilege of possessing and exhibiting such animals.

Ringling Bros. maintains its animals in accordance with the provisions of U.S. federal laws as the Endangered Species Act, the Animal Welfare Act, the Marine Mammal Protection Act, and all of their respective regulations, as well as the laws, regulations and ordinances which have been adopted by virtually every state and many municipalities. Additionally, all international movement of animals is made in accordance with CITES. Ringling Bros. is

States Department of Agriculture (USDA) for compliance with regulations promulgated under the Animal Welfare Act, and detailed inspection reports are completed by the inspectors after each inspection. This is in addition to inspections by numerous state and local authorities.

Ringling Bros. maintains a staff veterinarian who is on call to attend to the animals and who travels throughout the country to administer veterinary care. A local veterinarian is on call 24 hours a day in every city where the Circus performs. Also, the Stable Master travels with the Circus and inspects every animal daily, reporting any and all problems directly to the full-time Circus veterinarian. The animals of our Circus are well-cared for and are taken care of by trained professionals.

The report submitted by AFAR, entitled "A World With No Dancing Bears," is biased toward the extremist views of the animal rights cause and sets forth statements without substantiation. This report lists nine animal protection organizations under "Sources," and often quotes from the rhetoric of those animal rights organizations. This report does not offer examples or comments from government agencies, nor does there appear to be text from Dr. Fowler's book, as represented in the bibliography.

The AFAR report at page 15 alludes to the fact that a ban on animal circus acts is not without precedent. Yet, the report conveniently fails to cite the numerous failed attempts to ban circus animals. The report also fails to reveal the ultimate goal of numerous animal rights groups. This goal is to eliminate zoos, horse shows and even the ownership of dogs and cats, which are, after all, confined to people's homes. The consumption of eggs, milk, fowl, meat and the wearing of wool or silk would be similarly forbidden.

The report at page 4 states "Circus elephants are obtained either as youngsters wild from Africa or from Asia where the Indian elephant has been domesticated for centuries." This statement is surprising since current national and international regulations prohibit the importation/exportation of Appendix I animals unless they are captive-bred or pre-Convention. Therefore, it is not possible to take certain animals, such as elephants and tigers, from the wild. Instead, tigers performing with our Circus are captive-bred, and several of our elephants were born in captivity. The remainder of the elephants are pre-Convention. Therefore, the possession of animals in the Circus in no way impacts any wildlife conservation population.

This report also alludes to Ringling Bros. Circus and statements made by Henry Ringling North regarding the training of exotic animals. Ringling Bros. respectfully points out that these statements were made more than thirty years ago and are taken out of context. Our animal handlers, most notably Gunther Gebel-Williams, train their animals by a procedure of positive reinforcement. These animals are generally trained from infancy

and consequently respect and trust are gained between trainer and animal.

The quotation on page 8 regarding Ringling Bros. animals in Washington, D.C. in 1989, taken from the "Animals' Agenda," is simply untrue. I personally attended the movement of our elephants from the Circus trains. These elephants were neither distressed, mistreated by their handlers or "frantic for food and water." They did not have fresh sores. These statements are inaccurate and dangerous.

Allegations in the report regarding mistreatment of animals are overbroad and unsubstantiated. Punishment to animals for failure to perform is not a method endorsed or used by Ringling Bros. Any reputable trainer will attest that the most dangerous mistake a trainer can make is to work with animals that are abused, angry or in poor health. Indeed, it is totally illogical to think that a trainer would beat or enrage a group of tigers, then step alone into an enclosure with these same animals.

Interestingly, the AFAR report fails to cite the results of an 18 month investigation by Dr. Marthe Kiley-Worthington regarding circus animals. See Kiley-Worthington, Animals in Circuses and Zoos Chiron's World, Little Eco Farms Publishing 1990. Dr. Kiley-Worthington was commissioned by the Royal Society for the Prevention of Cruelty to Animals to carry out an independent, scientific study of circus animals, in comparison with animals in zoos and other husbandry systems and in the wild. Considered preeminent in her field, Dr. Kiley-Worthington was one of the first ethologists to live with and study wild African animals and has been an Animal Behavior consultant since 1971. Dr. Kiley-Worthington confirms that negative reinforcement has no useful purpose and states "any knowledge of learning and learning theory points out how inappropriate and self-defeating the approach of training by using severe negative reinforcement may be." (Kiley-Worthington at page 120.)

Indeed, despite AFAR'S broad allegations of mistreatment of animals by circuses, Dr. Kiley-Worthington concludes the complete opposite after first-hand research -- "There was no evidence of prolonged or acute distress, or high levels of fear or anxiety during the training of any of the circus animals that I witnessed in the 200 animal hours I watched training." (Id. at 118. Emphasis added.)

She also points out that the presence of the whip in circus presentations is not used to injure the animal but is, as Ringling Bros. has been stating for many years, used merely to give a cue to the animal. "Thus it is the position of the whip relative to the animal that gives the cue. The whip is not there to whip the animals with, it is there rather to emphasize the message, like using flags to emphasize the arms when sending semaphore messages." (Id. at 124.)

AFAR's comments at page 4 regarding training of elephants are unsubstantiated, as well. To the contrary, Dr. Kiley-Worthington points out that an elephant which is trained to stand and balance on revolving spheres can accomplish this feat only after there has been hours of patient time spent between trainer and elephant. She emphasizes, "[i]t is not possible to use negative reinforcement to teach an elephant to do this type of thing since however much it might want to do it is a result of coercion and fear, it will not be able to do it unless it has practice - it will just fall off." (Id. at 133. Emphasis in original.)

Dr. Kiley-Worthington completely rejects the principle espoused by AFAR and other animal rights groups which calls for the separation of animals and humans. Referring to this as "animal apartheid," Dr. Kiley-Worthington rejects this separatist approach and states that it is harmful to both humans and animals. Instead, human and animal interaction is beneficial to both parties. "The circus (the only place where many species are trained) can increase the quality of life for the animal and the human by allowing for the development of positive emotional relationships (affection, in other words) between species." (Id. at 135.) She points out that the assumption that animals, given the chance, will run off into the wilderness in order to escape humans is absolutely incorrect. Instead, "elephants, rhino, giraffe, eland, civet cats, duikers, horses, cattle and deer to name a few will frequently choose human company, usually an individual human, in preference to other conspecifics." (Id. @ 152.)

It is not surprising then that the AFAR report did not reference Dr. Kiley-Worthington since she not only disputes the AFAR allegations, but the extensive research of Dr. Kiley-Worthington yields a definitive finding that there are numerous positive aspects of animals in the circus. These include:

- a) captive animals should be able to be handled safely in order to reduce chances of suffering during normal routine management, including veterinary care;
- b) training or educating the animal can act as a form of occupational therapy for animals, and they can apparently enjoy it;
- c) the essence of circus training is that it concentrates on the individual, and respect for him or her, and allows direct experience of the individual;
- d) the circus is the only place where many species are trained and it can increase

the quality of life for both human and animal by allowing emotional bonds to develop;

- e) provided the circus is presented appropriately, the audience's respect, interest and delight in all the animals can be enhanced;
- f) the close individual association between animal and human inevitably leads to greater mutual knowledge and understanding;
- g) circus animal acts, properly presented and appropriate for the species and individual, can enhance the respect, joy and wonder of the human observers. It can be an inter-species 'art' form, demonstrating also the sophistication possible of inter-species communication, and the animals' creativity and innovation. (Id. at 141-142.)

There are many other findings of Dr. Kiley-Worthington which are in direct contradiction to the AFAR report. These findings were made only after extensive objective research and study.

We concur in Dr. Kiley-Worthington's findings and are strongly opposed to any action which would eliminate animals from our Circus. We are committed to the proper treatment and care of all our animals, both domestic and exotic. We are also committed to ensure that every exhibition is designed to enhance the animal's natural ability, agility and intelligence. We are committed to uphold the highest traditions and standards of animal presentation for the enlightenment, education and entertainment of our audiences, and we believe it would be a great loss to all -- including our animals -- if a ban was permitted.

It is thus concluded that there is no reason why circus training, any more than any other animal training, of its nature causes suffering and distress to the animals, or should be considered ethically unacceptable. There are bad circus trainers, just as there are bad teachers and bad parents, but this does not argue for the banning of circuses, any more than for schools or parenthood . . . Properly done, the training of circus animals can, on balance, benefit both animals and humans, and lead to greater inter-species knowledge. (Kiley-Worthington at 142.)

Therefore, we respectfully request that the City of Hamilton Finance and Administration Committee reject the proposal of AFAR. It is our hope that the City of Hamilton will continue to welcome circuses with animals in Hamilton.

Thank you for your consideration of our position in this matter. We welcome that opportunity for further discussion, and may be reached at 703-448-4065 if more information is needed by the Committee. Please let us know whether there will be a hearing regarding this matter.

Sincerely,


Julie Alexa Strauss

JAS/cjb

cc: John Thompson



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February 4, 1991

FEB 12 1992

John Thompson
Secretary
Finance & Administration Committee
City of Hamilton
City Hall
Hamilton, Ontario
L8N 3T4

Dear Mr. Thompson,

My apologies for taking so long in getting this letter off to you, however the zoo has been very busy.

In January we spoke on the phone regarding the report compiled by AFAR, which is to be considered by the City's Finance and Administration Committee. Rather than banning circuses with animals from city owned complexes, you and I discussed measures to ensure the welfare of circus animals operating in Hamilton.

As urban humans become further and further removed from our historical associations with animals, it is important to allow opportunities for people to experience these lost opportunities. As a zoo, we find that the major reason that our patrons visit our facility, is to enjoy and learn about the animals. As the City of Hamilton does not maintain an animal collection, a properly cared for circus animal could allow for appreciation of the marvels of the animal kingdom.

Unfortunately some poor quality circuses have sullied the image of the industry, in regards to the quality of welfare provided to animals in their charge. For this reason it would be appropriate for the City of Hamilton to consider husbandry requirements to be in place for the animals of the circuses which use city owned facilities.

The scope of this letter is insufficient for me to address all the animal husbandry concerns, however by way of example I shall deal with some requirements for two species

Within the circus enviroment, the large cats perform in a large steel or mesh arena. This structure is generally 35 to 42 feet in diameter. To ensure that the cats recieve adequate opportunity for excercise and recreation, an additional enclosure, equal in size to the one used for the permormance, is to be available for the animals use. As there may be aggression problems between several of the cats, it may not be possible for all the cats to be shifted into the excercise area at one time, however over the course of the day, all cats must be given access to the excercise area.

Elephants are another species of animal which is very common in the circus enviroment. In regards to space requirements, if a polickey were to be established whereby elephants had to be out of the truck and off chains for a minimum of 8 hours a day, this would ensure adequate opportunity for excercise.

These two scenarios are only suggestions and require much further working. In terms of enforcement, the City's Animal Control could supervise the husbandry requirements established by the City and as the restriction would only apply to City owned property, there should be good liason between the the Animal Control and management of the facility, so that offences of the husbandry requirements would result in the circuse's expulsion from the City's facility. The cost of inspections would be borne by the circus and should be in the neighbourhood of \$100.00 per diem.

I would be happy in working with you to develope requirements which would ensure that the highest quality of husbandry and welfare would be provided to circus animals when playing the City of Hamilton.

With thanks for your consideration of this letter, I remain,

Your Obedient Servant


Michael Kurt Hackenberger
Director

PUTTING
PEOPLE
FIRST!



FEBRUARY/1992

FINANCE AND ADMINISTRATION
COMMITTEE

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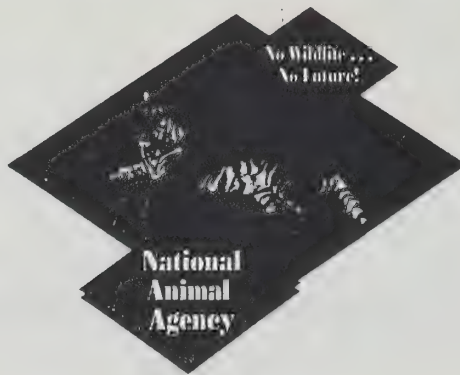
REGARDING: PROHIBITION OF ANIMAL ACTS IN CIRCUSES IN HAMILTON MR. CHAIRMAN, MR. MAYOR, AND ALL MEMBERS OF THE FINANCE AND ADMINISTRATION COMMITTEE. THANKYOU FOR ALLOWING OUR GROUP, PUTTING PEOPLE FIRST, TO SPEAK AT YOUR MEETING. PUTTING PEOPLE FIRST SUPPORTS THE CIRCUS AND ITS ANIMAL ACTS IN OUR FAIR CITY OF HAMILTON. OUR GROUP, PUTTING PEOPLE FIRST, SUPPORTS ANIMAL WELFARE AND THE HUMANE CARE AND CONCERN FOR THESE ANIMALS IN THE CIRCUS.

WE COMPLETELY REJECT THE RADICAL AGENDA OF THIS ANIMAL RIGHTS GROUP AND THEIR AFFILIATES, IN THE FACT THAT THEY WANT CIRCUS ANIMAL ACTS BANNED! THERE IS NO NEED FOR THIS DRASTIC, IRRATIONAL MEASURE TO TAKE PLACE IN OUR CITY. TO MY KNOWLEDGE, THIS SAME ANIMAL RIGHTS GROUP BANNED RODEOS FROM OUR CITY A FEW YEARS AGO. SINCE THAT TIME WE HAVE HAD CORRESPONDENCE FROM THE NATIONAL PRO RODEO ASSOCIATION, AND THEY WERE NOT NOTIFIED IN REGARDS TO THIS ISSUE UNTIL IT WAS TOO LATE! NOW THIS SAME GROUP IS GOING FOR THE CIRCUS, AS WE KNOW IT. ANIMAL RIGHTS ACTIVISTS DO NOT BASE THEIR FACTS ON THE TRUTHS. ANIMAL RIGHTS ACTIVISTS BASE THEIR FACTS ON EXAGGERATED EMOTIONS. ANIMAL RIGHTS ACTIVISTS AND THEIR AFFILIATES ARE A VERY AGGRESSIVE MINORITY WHO PROPAGATE FALSE IDEALS AND HOPES. THEY ARE A MOVEMENT WHICH OPPOSES THE USE OF ANIMALS FOR FOOD, CLOTHING, FOR MEDICAL RESEARCH AND FOR ENTERTAINMENT. IT IS AN ENTIRELY NEW VALUE SYSTEM, AND IF THEY CAN NOT PERSUADE YOU INTO ACCEPTING THEIR AGENDA, THEY WILL TRY TO INTIMIDATE YOU INTO ACCEPTING IT. PUTTING PEOPLE FIRST, IS A PRO-HUMAN GROUP WHO FULLY SUPPORTS THE HUMANE, ETHICAL, AND RESPONSIBLE USE OF ANIMALS BY HUMANS. WE FEEL THAT THE ANIMAL RIGHTS HALF-TRUTHS AND UNTRUTHS SHOULD NOT GO UNCHALLENGED!

Jon Dunnick

Sherrie Hicks

to: [unclear]



JAN 5TH/ 92

TO WHOM IT MAY CONCERN;

ON BEHALF OF THE NATIONAL ANIMAL AGENCY AND IT'S SPONSORED EDUCATIONAL EXHIBIT "ANIMAL TRAXX", I WOULD LIKE TO COMMENT ON THE PAPER PRESENTED TO THE CITY COUNCIL OF HAMILTON ONTARIO BY THE GROUP A.F.A.R.

OUR ORGANIZATION HAS BEEN VISITING THE HAMILTON-WENTWORTH AREA DISPLAYING AND GIVING LECTURES ABOUT CAPTIVE EXOTIC ANIMALS AND THE ENVIROMENT FOR MORE THAN TEN YEARS NOW. OUR PROGRAM TOURS CANADA ANNUALLY DISPLAYING THE GREATER CAT'S, AND TO THINK THAT ANIMALS CAN NOT BE TRANSPORTED SAFELY AND HUMANELY OVER EXTENDED PERIODS OF TIME IS NAIVE AT BEST. AS WELL, BEING THAT THESE ANIMALS ARE OF SHOW STOCK AND ARE "WORKING ANIMALS" MAKES IT EVEN MORE IMPORTANT THAT THEIR HEALTH AND PSYCHOLOGICAL NEEDS EXCEED THAT OF A ZOOLOGICAL FACILITY.

DURING OUR TRAVELS OF CANADA WE HAVE ENCOUNTERED ORGANIZATIONS SUCH AS A.F.A.R., AND HAVE FOUND THEM ALL TO HAVE THE SAME HIDDEN AGENDA. TO THINK THAT THIS SMALL BUT VOCAL GROUP REPRESENT THE WILL OF THE PEOPLE IS ABSURD. THESE URBAN ENVIROMENTALISTS HAVE OBVIOUSLY LOST TOUCH WITH THE LAND AND REALITY.

UPON REVIEWING COMMENTS MADE THROUGH THE MEDIA AND THE DOCUMENT FROM A.F.A.R., REFERENCE IS CONTINUALLY BEING MADE TO "WILD ANIMALS". IN THIS DAY AND AGE THERE ARE TOO FEW WILD ANIMALS LEFT IN THIER NATURAL HABITAT. ANIMALS USED IN PROMOTIONS, EDUCATIONAL EXHIBITS, CIRCUS', ETC. ARE BORN AND BRED IN CAPTIVITY USUALLY FOR SEVERAL GENERATIONS. THIER PHYSICAL AND MORE IMPORTANTLY THIER PSYCHOLOGICAL NEEDS ARE VERY DIFFERENT TO THAT OF THIER WILD COUNTERPARTS. QUIT OFTEN THE FACADE OF HABITAT ENCLOSURES IN THE ZOOLOGICAL INDUSTRY IS PURELY ONE OF ESTHETIC VALUE DESIGNED TO EASE OUR CONSCIENCE. LIVESTOCK HANDLED DAILY PROMOTES ACCLIMATED STOCK TO THE HUMAN ENVIROMENT THESE ANIMALS MUST FACE IN THIER ROUTINES AND DAILY LIFE.

IT IS FOR THAT REASON HANDLED SHOW STOCK IS USUALLY CONSIDERABLY MORE PSYCHOLOGICALLY STABLE. ALMOST ALWAYS THESE ANIMALS ARE RETURNED TO A ZOOLOGICAL FACILITY AFTER THIER WORKING LIFE IS OVER. BY THE DOCUMENTS OWN ADMISSION NOT MUCH IS KNOWN ABOUT TRAINING EXOTIC ANIMALS BEHIND CLOSED DOOR'S. IF IT IS THE CONSENSUS THAT YOU BEAT A 600LB. TIGER INTO SUBMISSION OR FOR THAT MATTER AN ELEPHANT, ONE HAS OBVIOUSLY NOT COME FACE TO FACE WITH A TIGER OR ELEPHANT. FOR THE MOST PART EXOTIC LIVESTOCK BORN IN CAPTIVITY IS TO SPEND A LIFETIME IN CAPTIVITY, HAVING REMOVED THE NESSESARY SKILLS TO SURVIVE THE WILD.

WHAT WONDERFUL MODELS TO USE TO ENCOURAGE SUPPORT OF THIER FEW REMAINING WILD COUNTERPARTS.

DAN WALLACE *Dan*
TOUR DIRECTOR

Wallace



MEDICINE

DEC 10 1991

RESEARCH

THE LEON YOCHELSON
PROFESSOR AND CHAIRMAN

November 07, 1991

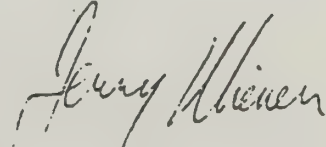
Sandra Bressler
Executive Director
California Biomedical Research Association
48 Shattuck Square
Berkeley, CA. 94704

Dear Ms. Bressler:

In response to your inquiry I can share with you the following facts:

- a. There is an "Institute for Disease Prevention" established (& named) by a faculty member in the Department of Medicine at the George Washington University Medical Center, largely as a vehicle by which to apply for funds to support nutritional research.
- b. Dr. Barnard, at his own request, does hold the title of "Associate Director of Behavioral Research." This has no University or Medical Center standing, it has no funding, no duties and no requirements. Dr. Barnard never has conducted any research within the Institute or under its auspices.
- c. Of most importance, perhaps, is that the principal research which is and has been conducted within this Institute is Animal research, utilizing rats in studying the effects of diet on colon cancer. Dr. Barnard has been fully and repeatedly informed of this animal research.
- d. Since Dr. Barnard has never done any research in the Institute there is consideration being given to abolishing the title, since it is essentially meaningless and without any function, indeed full of sound and fury but signifying nothing.

Sincerely,



Jerry M. Wiener, M.D.

Don't Be Fooled By The Demonstrators

During the past year, Ringling Bros. and Barnum & Bailey Circus has been harassed by a small group of vocal demonstrators seeking to draw your support to their views of so-called "animal rights." It is time you knew the truth about the real motives behind these demonstrators.

The "animal rights" groups appeal to your love of animals, when in fact, they are trying to raise money to promote their radical views— "total liberation" of all animals from "human custody."

In a world created by radical "animal rights" groups, humans and animals would have equal value. As their founder proudly boasted, "...a rat is a pig is a dog is a boy."

They would release all "captive" animals into the wild and permit no contact between humans and animals. Theirs would be a world with no zoos, no circuses, no farms, no pet shows and even no pets in your home. You would not be permitted to drink milk, eat eggs or even to wear wool or silk!

Don't confuse these radical views with animal "welfare," or the ethical, responsible and humane treatment and care of animals. Everybody, including the people of Ringling Bros. and Barnum & Bailey Circus, loves and adores all nature's living creatures and cherishes their friendship.

For 120 years, Ringling Bros. and Barnum & Bailey Circus has cared for, managed and provided top quality treatment to every kind of exotic and domestic animal imaginable. We have always treated and respected our animals as friends—just as you treat and respect your pet at home.

We feed, clean, groom, breed, provide shelter and medical care for our animals. We work, play, travel and live side-by-side with our animals 365 days-a-year, promoting a healthy exchange and companionship between humans and animals. And, we train them to perform athletic routines to provide enlightenment, education and entertainment for you—using the same methods you use to train your dog to "sit up" or "catch a frisbee."

Ringling Bros. and Barnum & Bailey Circus was a leader in animal welfare long before it became a fashionable cause. We proudly stand on our record of ethical, responsible and humane treatment of all our animals.

So, don't be fooled by demonstrators who try to gain your support and your money, by playing upon your heartfelt love of animals. If their goals were to be achieved, we would all be left in a cold world without animal companions.

The circus

is coming to town!

To most of us, this phrase evokes the thrill of clowns, acrobats and animal acts for "children of all ages." But not for animal "rights" activists — they want to deprive children of "the Greatest Show on Earth."

They are trying to disrupt the circus with incidents like those last year in Pittsburgh that resulted in the arrest of several protestors and forced Ringling Brothers to shut down for a day, disappointing hundreds of children.

MYTH: The "Cruelest Show on Earth"?

Animal extremists accuse the circus of "cruelty and abuse." These false charges are quickly dispelled by a simple walk backstage at the circus, where you can see for yourself the outstanding quality of animal care.

FACT:

★ Circus animals are much healthier than, and often live twice as long as, in the wild.

★ The federal government regulates the care of circus animals, and regularly inspects circuses.

★ Circus people depend on the health and welfare of their animals for their livelihoods. It is preposterous to believe that people who have invested their lives in training and caring for rare and exotic animals would do anything to harm them.

What about animal "rights"?

Animal radicals recently accused Las Vegas animal trainer Bobby Berosini of abusing his orangutans. The charges turned out to be a hoax involving doctored videotape and manufactured evidence. This slander cost the animalists \$4.2 million in damages for defamation of character. Accusations by people who have been so wrong in the past should be taken with a grain of salt.

What do animal "rights" groups really want?

In their own words: "the total abolition of animal use."

What does this mean?

▲ "the total elimination of commercial and sport hunting and trapping."

That would cause wildlife overpopulation and agonizing death from mass starvation, mange, parvo and rabies — diseases that threaten our pets, our food supply and our very lives.

It would cause overgrazing, erosion, and desertification — devastating our fragile ecosystem.

And they demand that renewable, biodegradable resources such as leather, wool, fur, down and even silk be replaced with petrochemical plastics, leaving the burden of waste and pollution on generations to come.

▲ "the total dissolution of commercial animal agriculture"

That means unemployment and bankruptcy for millions of farmers and others, and the destruction of the world's most productive farm system.

It means no meat, eggs or dairy products — our only sources of vitamin B12.

▲ "the total abolition of the use of animals in science"

That would condemn millions to suffering and death from polio, diabetes, smallpox, diphtheria, and a host of other diseases.

It means no coronary bypass surgery, no insulin, no organ transplants, no dialysis, no anaesthetics or chemotherapy.

For millions of animals, it means rabies, distemper, anthrax, cholera, heartworm, and more.

According to the AMA, every medical advance of the 20th century has been due to animal research. The average American lives more than 20 years longer as a direct result.

▲ They even "oppose the keeping of animals as 'pets'!"

Animal "rights" groups want to ban "all animal use" — no matter how humane or essential. would take milk from your children, insulin diabetics, and seeing-eye dogs from the blind. would rather see people starve than eat meat, fish or dairy products. They would even ban silk and leather — because they "exploit" silkworms and bees! — they would rather see children die of cancer, leukaemia and AIDS than use lab rats in biomedical research.

They have used physical harassment, bombing, attempted murder to advance their agenda. They attacked farms, restaurants, retail stores, even zoos, and have claimed responsibility for more than a million in damages to biomedical research. According to the FBI, they were responsible for the acts of terrorism in the U.S. in 1989.

What is

Putting People First?

Putting People First is a group of average Americans, opposed to the animal terrorists and their agents who say that you and I are no better than roaches and rats.

Putting People First does not represent any pet or special interest. We represent the 93 percent of Americans who drink milk and eat meat, benefit from medical research, wear leather, wool and fur, have fish, own pets, and go to rodeos, zoos, aquariums and circuses!

All responsible people support the humane treatment of animals. But when the interests of animals are in conflict with the interests of humans, we believe that the interests of humans must take precedence over those of animals. Putting People First is dedicated to defend the freedom of every American to manage animal life, to protect the environment, and to enhance the quality of life. That is why we support the right of animals responsibly.

We respect the views of others and support the right to hold those views. But animal cultists would like to impose their ideology on everybody, without exception. We support any values that don't match their own and demand the right to hold our beliefs in peace.

Putting People First is a tax-exempt grass-roots organization, with headquarters in Washington, D.C. and 51 chapters across the United States and Canada.

ANIMAL RIGHTS



Canadian Press

Sherrie Hicks, left, and Pat Thiessen are fed up with animal activists and have started Putting People First, a national organization based in Hamilton.

Putting People First other side of debate

Its 100 members eat meat and wear leather.

Canadian Press

HAMILTON — Sherrie Hicks and Pat Thiessen say people are fed up with animal rights activists, so they've formed a group for meat-eating, milk-drinking people, who wear leather and wool.

Created last summer, Putting People First now has about 100 members across Canada, said Hicks, who runs a fur boutique.

"We're here to represent the other side of the animal rights debate. We want to expose the animal rights movement for what it is."

Animal extremists will settle for nothing less than abolishing human use of animals even if the goal means breaking the law, Hicks said, citing recent problems with Canadian Cold Buster chocolate bars.

WARNED IN LETTERS: Last week, more than 250,000 bars were recalled in five provinces after a self-professed animal rights group warned in letters to news organizations it had poisoned 87 of the candy bars in Edmonton and Calgary.

The "animal rights militia" group alleged rats were killed to develop the

“We want to expose the animal rights movement for what it is.”

— Sherrie Hicks,
co-founder of Putting People First

were deeply upset at being blamed for the poisoning and some suspected it was a tactic to discredit the movement.

Other than Cold Buster bars sent to the media outlets, none were found to contain oven cleaner the group claimed to have injected. There have been no reports of illness and the bars will return to store shelves next week.

MULTIPLE SCLEROSIS: Thiessen has recently been diagnosed with multiple sclerosis. Research for a cure requires that tests be conducted on animals, something activists oppose.

Thiessen's doctors have warned the stress of working for a lobby group could exacerbate her illness, but Thiessen says she will continue about the issue s ealth.

PUTTING PEOPLE FIRST!



Blakely, P.O. Box 68031
Hamilton, Ontario Canada
L8M 3M7

Phone: 416-547-9379 / Fax: 416-544-4033

Putting People First is an umbrella organization of concerned citizens who oppose animal rights activists. Our main goal is to educate the public about the real agenda of the animal rights' movement, which in their own words is, "the total abolition of all animal use".

Their message is deceptively attractive to well-meaning people who love animals and hate violence and cruelty. For the vast majority of people, their idea of the natural world comes from Disney and they are easy prey for the propaganda of animal activists.

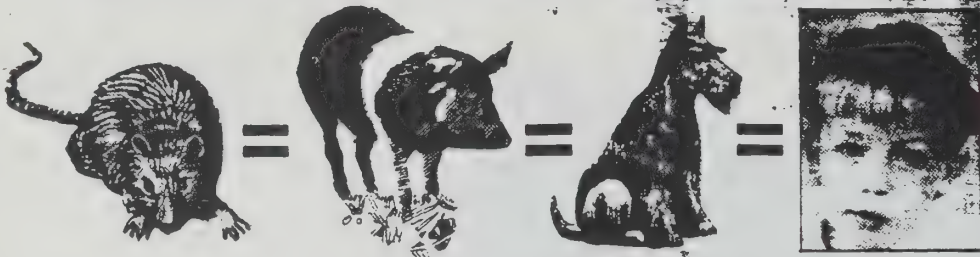
People just don't understand how dangerous, or how radical, the animal extremists are. They're not reformers, they're abolitionists. It's not just hunting, fishing and trapping that they're trying to outlaw. It's not just the fur and leather industries they're trying to close down. They want to eliminate all clothing made from animal by-products such as goose down, wool, even silk. They don't just want people to stop eating meat. They would also take dairy and poultry products, fish, and even honey off the market. They want to close down zoos, and circuses, abolish horseback riding and liberate pets. They are working hard, both legally, and illegally, to ban all biomedical research that uses laboratory animals. They call all these things animal exploitation, and they say humans have no right to exploit animals. They are fanatical. They will settle for nothing less than the complete abolition of all human use of animals, and for them the end justifies the means -- even illegal. These people aren't just pro-animal, they're anti-human.

"Putting People First" was created specifically to give voice to the interests of the people, to expose the animal rights credo for what it is, and to fight the intimidation tactics of animal rights extremists.

Putting People First is pro-human. It supports the humane responsible use of animals by humans. It tracks media coverage and organizes letter-writing campaigns. It offers a counter-balance to the animal rights propaganda that infiltrates the school curriculum. It provides speakers and mobilizes support where needed. It's an information network. It exposes the radicalism of the animal rights message.

All responsible people support the humane treatment of animals. But when the interests of animals and those of man conflict, we believe that the interests of people must take precedence over

The lies of animal rights extremists. E2



The London Free Press

SECTION E

SATURDAY, January 11, 1992

FORUM SECTION EDITOR DAVID DAUPHINEE 679-0230

FORUM

Extremist views gaining converts

The bizarre tenets of animal liberationist groups could become a serious menace to human health.

By Rory Leishman

The writer is a member of The Free Press editorial page staff

Satire is obsolete. So many old truths have been abandoned for crazy new ideas that it's impossible to distinguish irreverent mockery from sincere belief.

Consider the bizarre notions propagated by Ingrid Newkirk, national director of People for the Ethical Treatment of Animals (PETA) — a rapidly growing Washington-based movement that claims to have more than 350,000 adult and child members. In a recently published children's book entitled Kids Can Save The Animals, she advises her young readers that domesticated dogs, cats or gerbils should be referred to as "companion animals," not pets.

For Newkirk, this is no frivolous semantic distinction. "Animal liberationists do not separate out the human animal," she has explained, "so there is no rational basis for saying that a human being has special rights. A rat is a pig is a dog is a boy. They're all mammals."

SIMILAR VIEWS: These are not just the ravings of an isolated crackpot. Similar views have been expressed by Peter Singer and Tom Regan, philosophers at respected universities in the United States, who maintain that adult mammals think or suffer in much the same way as humans and therefore are entitled to at least the same moral status as an infant child or mentally handicapped adult.

The implications of this viewpoint are bizarre. In her book, Newkirk admonishes chil-

of cows' milk. "Wool is the sheared coat of sheep," she advises. "If you get cold in the winter without your coat, imagine how shaved (or shorn) sheep feel — sheep whose wool has gone to market feel the cold even more than we humans do when we're naked."

There are a host of other, no-less-cockeyed notions in the book — all far beyond satire or parody. It might be laughable, except that the animal rights movement has fostered some deadly serious fanatics like those who injected stove cleaner into Cold Buster candy bars.

The perpetrators of this outrage claim thousands of rats were killed — many of them frozen or starved to death — in experiments that led to development of the candy bar at the University of Calgary. These allegations are false. Dr. Harry Roussel, executive director of the Canadian Council on Animal Care (CCAC), has confirmed that very few rats were involved in the experiment and none were frozen or starved.

The CCAC is an independent, broadly representative body that works in conjunction with the Canadian Federation of Humane Societies to supervise research with animals at all Canadian research centres, public and private. Institutions that fail to comply with the strict standards for animal welfare enforced by the council are liable to lose all federal funding.

Roussel concedes that 20 years ago some experiments were conducted on animals without due regard for pain and suffering, but he insists that such abuses can no longer go undetected. He also points out that the CCAC and the scientific research community have taken the lead in advising humane societies on how the millions of cats and dogs destroyed in pounds and shelters each year

decompression.

For animal rights zealots, stringent guards against animal abuse are not enough. They want to halt all medical experimentation with animals.

If this campaign succeeds, the impact on human health would be profound. Each batch of polio vaccine, for example, has been tested for safety. Computer modelling and animal testing will not suffice.

In this as in countless other cases, there is no alternative to animal testing, so would the animal rights activists have to try out the first dose on a human instead of an adult mouse?

Incredible as it might seem, the animal rights movement is growing from strength to strength. PETA has a multi-million dollar annual budget. Newkirk hopes to get her book into public schools throughout North America. It's also available in the children's section of the London Public Library.

Animal rights extremists, distinct from people with a reasonable concern for animal welfare, are active on the campuses of virtually every major university in the country. At the University of Western Ontario, Students for the Ethical Treatment of Animals hold a regular weekly half-hour show.

During the 1920s, some reputable scientists spoke out against the racist theories of Joseph Arthur Gobineau, but there was no concerted effort within the scientific community to combat his crackpot ideas. Today it is politically correct to denounce all racial theories, regardless of merit.

More scientists, philosophers and theologians should join the courageous ones who have been willing to engage in a rebuttal of the pernicious falsehoods propagated by the animal rights movement.



RORY LEISHMAN

The London Free Press

Fur feud boils noisily during chilly protest

By DOUG LEFAIVE
The Spectator

THE LONG-SIMMERING feud between furriers and animal rights activists came to a brisk boil when Allies for Animal Rights staged a brief but noisy protest outside a King Street fur shop.

About two dozen protesters braved a -35C (-31F) wind chill Saturday to march the three blocks from the corner of King and James streets to Nadel's Furs. Their purpose was, in the words of organizer Ken Bontius, to "ask people to choose a cruelty-free lifestyle."

Mr. Bontius said their message was simple. "We oppose use of animals for a frivolous fashion garment when so many alternatives do exist."

'Terrorists'

But inside the shop, Pat Theissen — of the local branch of Putting People First — viewed the 20 minutes of chanting on the sidewalk in much more ominous terms, repeatedly referring to the protesters as "terrorists."

"They're frightening people who are hurting businesses and children," said Ms Theissen, who formed the group last August with her friend Sherrie Hicks, who runs a Main Street East fur shop with her husband.

"They're trying to shut down businesses and I feel that is a horrendous thing to do in this day and age with the recession we are in."

About the only things the two furriers and the protesters shared were a missionary-like zeal and a lack of patience for the other side's views.

When asked about the protes-



Barry Gray, The Spectator

Protesters march to a King Street furrier to show opposition to the use of animals for fashion garments.

ters' concern about the cruelty of killing millions of animals so women could dress fashionably, Ms Theissen replied that nature itself is cruel and many animals die horrible deaths in the wild.

She accused the protesters of conducting "consumer terrorism by causing vocational injury," much like the recent tampering of candy bars in Edmonton by a group claiming to be allied to the animal rights movement.

When it was suggested there's a difference between protesting and threatening to poison innocent consumers, she replied: "They are all tarred by the same brush. It doesn't

matter if they are moderate or radical."

For his part, Mr. Bontius said he'd never support anything like the chocolate-bar tampering.

"The whole animal rights philosophy is respect for all life, both human and nonhuman," he said, adding the chocolate-bar tampering may have been a plot to discredit the animal rights movement.

"We don't condone that and we have all rallied against that kind of action."

Ms Theissen, who said she has multiple sclerosis, is worried that

the animal rights movement's opposition to using animals for medical research will destroy her own "right to life."

"With the disease that I have, the only thing they can test on is animals."

Mr. Bontius responded that "medical testing (on animals) has been going on for so many years."

"Take cancer for instance. Decades of research and very little extra has been accomplished."

He added if scientists were to try other methods of research, such as computer modelling, they could open up entire new avenues of fighting disease.

PUTTING
PEOPLE
FIRST



"We represent the average American who drinks milk and eats meat, benefits from medical research, wears leather, wool, and fur, hunts and fishes, owns a pet, and goes to zoos."

Blakely, P.O. Box 68031

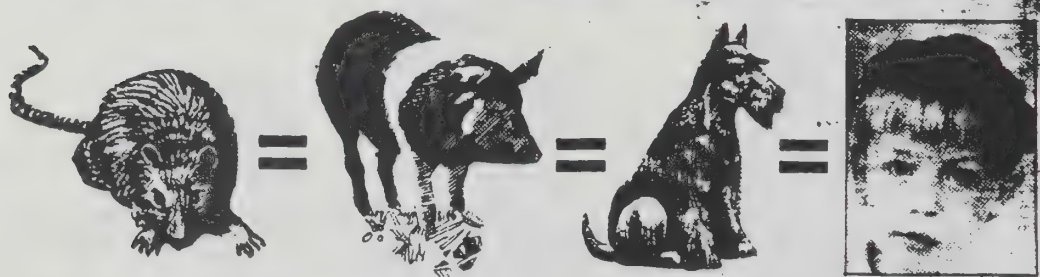
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Sherrie & Pat

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The lies of animal rights extremists. E2



The London Free Press

SECTION E

SATURDAY, January 11, 1992

FORUM SECTION EDITOR DAVID DAUPHINEE 679-0230

FORUM

Dow Corning defends implants

WASHINGTON — Officials from Dow Corning Corp. have vigorously denied new allegations that the company ignored warnings from its own scientists about the safety of the silicone gel breast implant.

"This has become a travesty to the millions of women who've had a compelling need," to seek breast implants, said Robert Rylee, chairman of Dow Corning's health care businesses, told a news conference yesterday.

Published reports spurred the latest round of allegations that the company ignored vital safety issues when it began making a softer gel form of silicone implants.

According to internal company documents obtained by the New York Times, Dow Corning Corp. may have ignored concerns about

Firm maintains silicone safety

possible silicone leakage from the implants, the newspaper reported.

The documents indicate that the company began implanting the devices into women before animal studies were completed, according to the newspaper.

They also suggest that the animal studies that were conducted may have been flawed because the devices were not implanted into breast tissue.

Asked about the report, Mr. Rylee said "memos are not scientific records." He and other company officials continued to defend the safety of the implants, stressing that the company has studied the

safety of silicone for more than 40 years.

Mr. Rylee said that Dow Corning knew small quantities of the silicone could leak through the implant but that the company had not considered it a safety issue.

Mr. Rylee also responded to charges that Dow Corning told sales representatives to wash the implants to cover evidence of leaking silicone.

He said that washing was needed because repeated handling causes small amounts of silicone to leak from the implants and attract dirt.

The U.S. Food and Drug Administration has imposed a 45-day moratorium on implants to give an advisory panel time to review two safety studies and decide if implants should stay on the market.

From Medical Tribune Service

Anti-cancer drug gleaned from paw paw tree

CHICAGO — A simple, inexpensive new test has led to the isolation of a powerful anti-cancer drug and a safe, natural pesticide from the paw paw tree, sometimes called the Indiana banana, a researcher said yesterday.

The cancer drug has so far been tested only in animals. It is one million times as potent as the widely used cancer drug Adriamycin, said Jerry McLaughlin of Purdue University.

The National Cancer Institute has expressed interest in the drug and has

ican Association for the Advancement of Science.

The pesticide, a chemical cousin of the anti-cancer drug, could be used by greenhouses and truck farms and could be worth as much as \$500 million a year, Mr. McLaughlin said.

The paw paw is a shrub-like tree with edible fruit shaped like bananas. It grows all over the eastern United States.

Mr. McLaughlin said the anti-cancer drug from the paw paw acts on cancer

"It pulls the plug on cell energy," he said. "Most cancer drugs don't work that way." Many conventional drugs interfere with cell growth by attacking the cancer cells' genetic material, he said.

Although the fruit is generally considered edible, Mr. McLaughlin said he decided to test the paw paw because of a childhood experience with its yellow fruit.

"I ate four or five when I was a kid

Humane Society's rules under the gun

THERE should be a suggestion in the story you are about to read that reason has got lost along the road. Tonight the Toronto mayor's committee on racism is going to look at the Toronto Humane Society's new restrictions on membership.

The society has about 3,600 members and receives donations from about 40,000 sources. None of the donations, at a guess, would top the \$762,000 that comes annually from the City of Toronto for purchase of services, which primarily is why the mayor's committee is interested in what the society is doing.

Its new restrictions would ban membership for such persons as the spouses of pet breeders and rodeo promoters, along with slaughterhouse workers, animal researchers, people in the fur trade, those who use intensive confinement systems for farm animals, circus performers, breeders, trappers and sport hunters.

The concern of aboriginal people is that the restrictions are aimed at them in a way that goes beyond rejecting what may or may not be their occupation and targets their culture.

Because of this, and one other related reason, one of the people attending tonight's meeting will be Gordon Peters, regional chief of the First Nations of Ontario; well-known First Nations elder Fred Plain; playwright Thomson Highway; and Dave Monture, secretary-treasurer of Indigenous Survival International.

Mr. Monture has informed the mayor's committee that the membership restrictions would exclude native students in the city who earn summer money as guides, or urban natives who go home to join family members on a moose hunt, or any native people who advocate aboriginal hunting and trapping rights or who sell native crafts made of items such as porcupine quills.

But what has Mr. Monture and others enraged is a paper circulated by Anne Doncaster, president of the National Animal Rights Association and at one time associated with the Humane Society.

Ms. Doncaster and her organization are considered part of the rational, non-violent, non-hating camp of animal-rights activism.

She has said: "People think that the first thing we want to do is declare a 1,000-year vegetable reich. Well, this just isn't the way social movements work . . . and not any of them will happen unless you've got the support of the public."

Her paper, entitled *Native People of Canada and the Fur Trade*,

CITYSTATE



MICHAEL VALPY

was presented a couple of years ago to the House of Commons committee on Indian affairs and northern development. Native leaders say it has also been distributed widely to European parliamentarians as part of the association's campaign against the Canadian fur trade.

A few sentences are quoted:

"There is, in some circles, a tendency to romanticize the life of preliterate people for its simplicity and tranquil co-existence with nature."

"However, the evidence shows a very dark side to this existence: a people constantly on the move in search of food; the ever-present threat of starvation; the practices of female infanticide and the abandonment of the old and the sick; the subjugation of women; filth and parasites; and the terror of evil forces, natural and supernatural, which were very largely beyond man's control. Privation, hardship and fear were all realities of the stone-age cultures that existed in North America prior to the arrival of the white man . . ."

"Even though the traditional subsistence stone-age cultures all disappeared in North America, there were some pluses for the native people. The Europeans ended blood feuds, infanticide, the abandonment of the old and the sick and provided better tools and weapons, more comfortable homes and livestock."

"Later the native people received services in education, medicine, communication, recreation, in fact, many if not all of the services the majority of Canadians now enjoy."

"The last time I read something like that it was in a speech by former South African President P. W. Botha."

The history of the North American aboriginal peoples is rather clear that they did live in concert with nature, that they accepted limitations on what man could accomplish and that they fell victim to appalling abuse — substantially from various versions of the Christian church — after the arrival of the white man.



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DEC 17 1991

December 12, 1991

Finance & Administration Committee
The Corporation of the
City of Hamilton
City Hall
Hamilton, Ontario
L8N 3T4

ATTENTION: MR. JOHN THOMPSON, SECRETARY

Dear Sir:

RE: PROHIBITION OF ANIMAL ACTS IN CIRCUSES

Thank you for providing a copy of the above submission to my colleague Peter Fetting of Great West Agencies.

The key issue here is not caring treatment of animals - which we and our circus actively support. AFAR's unequivocal position is clearly that "animals are not here to be used by people". Can that position be justified on anything but solely emotional grounds? Not according to those who have scientifically studied the treatment of animals in circuses.

Enclosed is a copy of "Animals in Circuses and Zoos" by Dr. Marethe Kiley-Worthington, published in 1990, which was selectively quoted on page 4 of the AFAR paper. This highly readable and intelligent book resulted from an independent scientific study of animals in circuses, commissioned by the Royal Society for the Prevention of Cruelty to Animals (RSPCA). It is the only current authoritative study focusing on circus animals, their treatment and well-being.

Dr. Kiley-Worthington states categorically: "on balance I do not think that animals' best interest are necessarily served by money and activities diverted to try to ban circuses locally or nationally". She decries those who would create "animal apartheid", depriving humans and animals of important mutual contact and learning.

Circuses also play an important role in conservation of some endangered species as increasingly loss of historic habitat and poaching take their heavy toll. We are most interested in meeting with the Committee to assist them to develop a balanced and informed perspective on these issues.

We look forward to participating in this discussion and to providing any further information the Committee may require about the operation of our circuses. I can be reach at 1-800-661-0178.

Sincerely,

GWE CONSULTING GROUP LTD.

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke extending to the right.

P.L. (Len) Wolstenholme,
Vice President

PLW/pd

SHOULD WE BAN PETS, HORSE RACING AND POLICE DOGS TOO?

On The Prohibition of Animal Acts in Circuses

INTRODUCTION

Great West Agencies, a subsidiary of GWE Consulting Group Ltd., produces an annual 18 week circus tour which includes all major Canadian cities. We can provide important and pertinent information on the issues raised by animal right militants who pressure city governments to prohibit animal acts in circuses.

OPPOSITION TO ANIMAL ACTS NOT BASED ON FACT

These militants often demand and expect a City Council to ban animal circus acts on solely emotional grounds rather than on the basis of proven fact. Indeed, emotion is all they've got because the facts do not support banning animal circus acts. The key issue here is not caring treatment of animals - which we and our circus actively support. The issue is animal rights militants' unequivocal position that "animals are not here to be used by people".

This is a matter of opinion. It is not in any sense a proven fact. It is a position used by animal rights militants to justify antisocial and sometimes criminal acts like the recent poisoning with arsenic of baby food on British store shelves.

Against this very small minority perspective, espoused by a few militants, is the statement in the Old Testament, accepted by tens of millions of Christians and Jews, that God gave mankind "dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth" (Genesis 1:28). Tens of millions of Muslims share a similar philosophy. All three faiths require mankind to treat animals with care and respect.

WHAT ABOUT THE TREATMENT OF CIRCUS ANIMALS?

"Animals in Circuses and Zoos" by Dr. Marthe Kiley-Worthington, published in 1990, resulted from an independent scientific study of animals in circuses commissioned by the Royal Society for the Prevention of Cruelty to Animals (RSPCA). It is the only current scientific authority which focuses on circus animals, their treatment and well-being.

Legislators and City councils must be aware of the

informed, responsible decision on the matter. We suggest reading "*Animals in Circuses and Zoos*" in its entirety and can provide copies at cost if desired. However, we are available to meet with any Committee or Council to outline the balanced picture Dr. Kiley-Worthington presents.

She states categorically: "On balance I do not think that animals' best interests are necessarily served by money and activities diverted to try to ban circuses locally or nationally". She rejects outright the actions of those who would create "animal apartheid", depriving humans and animals alike of important mutual contact and learning. She argues convincingly that by having closer contact with animals, particularly through well run circuses and zoos, mankind will develop greater respect and learn to care more for these remarkable creatures.

THE REAL ANIMAL RIGHTS AGENDA

Vocal, militant animal rights groups in Canada and elsewhere are generally made up of a dozen or so well-intentioned but ill-informed laypeople. They emotionally reject any use of animals for human benefit.

What then of farming for meat, or for products from live animals like milk, eggs and cheese? What of the important role of animals in environmentally sustainable, affordable agriculture and transportation in developing countries?

Let's be absolutely clear. Militant attacks on circuses are a first step on the road to the animal rights militants' ultimate goal of complete prohibition on all forms of animal-human interaction. Consider the impact of this on your family's daily life.

If you ban circuses because it is alleged on solely emotional grounds - but not even close to being proven - that they are all inhumane to animals, then you must ban farming, butchering, horse racing, dog kennels, guide dogs and pets. An extreme statement? Not at all. Dr. Kiley-Worthington established that animals in circuses are generally better treated and cared for than most animals under human care, including pets. If we are to accept the hypothesis that circuses are "inhumane" then we must accept that keeping pets and any other animal for any other use is even less "humane".

Without question, if we make the decision to have a pet, to operate a farm, a zoo or a circus, we must provide a caring and considerate environment for the animals involved.

According to Dr. Kiley-Worthington, circuses are among the best environments for animals for exactly these reasons.

CIRCUSES HELP CONSERVE ENDANGERED SPECIES

Consider also that the historic habitats of many "exotic" animals - like tigers and elephants - in the wilds of Africa, Asia and South America are being destroyed faster than regulations and enforcement can prevent. Poaching in these areas is also taking a heavy toll. So we in the "developed" world today have two alternatives:

1. Accept the concept of "animal apartheid" espoused by animal rights militants and watch these species perish and become extinct;

or

2. Promote proven, caring, healthy alternative environments like well-run circuses for them to thrive, to be saved from extinction, to teach us of their intelligence and to remind us that development has its costs and shortcomings.

Dr. Kiley-Worthington makes the case for the second option rationally, lucidly and intelligently - based upon research rather than rhetoric, reason rather than misdirected emotionalism. She has already done for one of the oldest and most respected animal welfare organizations in the world, the RSPCA, what you are now asked to do: decide whether the banning of circus animal acts benefits the animals involved, their species and mankind.

ANIMALS ARE PROTECTED

Can laypeople, including these militants, legitimately claim to have greater insight into this issue than those who have studied the issue directly and scientifically?

To ensure all husbandry systems, including circuses, treat their animals with care, there are powerful safeguards like the SPCA and Agriculture Canada. GWE routinely invites these groups to inspect our circuses. They can and should inspect, make recommendations to and initiate proceedings against those who abuse animals. On the very rare occasions when a problem has been identified in our circus by any such group it has been dealt with immediately and decisively.

Finally, we routinely survey those who attend our circuses. In 1991 surveyed over 10,000 people, a statistically significant sample by anyone's standards. Overwhelmingly, 9 out of 10 respondents not only were in

When all the facts are in and carefully considered, one cannot help but conclude that the banning of circus animal acts benefits no one - least of all the animals involved and their species.

We look forward to participating in this discussion and to providing any further information you may wish or require from us. I can be reached at 1-800-661-0178.

Respectfully Submitted,
GWE CONSULTING GROUP LTD.

P.L. (Len) Wolstenholme
Vice President

10 The Calgary Sun, Monday, January 6, 1992



Calgary's Voice

KEN M. KING, Publisher
CRAIG MARTIN, Associate Publisher
MARIO SGROI, General Manager



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of Circulations
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The Calgary Sun, a division of the Toronto Sun Publishing Corporation, is published at 2615 12 Street N.E., Calgary, Alberta, T2E 7W9.

No rights

THE SO-CALLED Animal Rights Militia knows nothing whatsoever about rights — anyone's rights. Bluntly put, its claim that it injected dozens of Canadian Cold Buster candy bars with liquid oven cleaner shows utter irresponsibility for the safety of innocent men, women and children.

It's a criminal act — nothing less.

Indeed, considering that 250,000 of the bars have been pulled from shelves in Alberta and that the manufacturing company may well lose \$300,000, the culprits should be brought to justice and face the full severity of the law — and that penalty should include reimbursing the manufacturer and its employees for any losses.

For unless these heinous individuals are rounded up, other fanatics and lunatic fringe groups may well be encouraged to perpetuate more devastation on society.

There is absolutely no evidence that the bar's inventor — University of Alberta zoologist Larry Wang — has tortured thousands of rats to develop the anti-hypothermia bar.

Wang is a world-renowned researcher — a man of dedication and diligence — who has all the attributes that the Animal Rights Militia members lack.

The Animal Rights Militia is basically a would-be terrorist organization — and its victims could be anyone.

In Britain these extremist groups have resorted to violence, vandalism and arson to carry out their phoney campaigns to protect animals.

Their extreme policies even call for the banning of anyone — child to senior citizen — having pet dogs, cats or budgies on the basis that to have a pet exploits the animal or bird.

How ridiculous can you get?

Even more ridiculous than that.

For the groups even want to forbid anyone from eating eggs or drinking milk — claiming that humans extort these products from innocent beasts.

Now you know just how crazy they really are.



FAX TRANSMISSION COVERING PAGE

DATE:

Jan 10/92

TO:

John Thompson, Secretary
Finance & Admin. Committee

FAX NUMBER:

416-546-2095

FROM:

Len Wolstenholme

RE:

Animal Rights Activists
- Jan. 6/92 Calgary Sun editorial

PLEASE REPLY:

URGENT

AS SOON AS POSSIBLE

AT YOUR CONVENIENCE

☒ NO REPLY REQUIRED

NO. OF PAGES:

2

INCLUDING COVER PAGE

IF YOU DO NOT RECEIVE ALL OF THESE PAGES, PLEASE CALL.

Pages 134-137

148-149 1-800-661-0178

African Lion Safari

RR #1, Cambridge, Ontario N1R 5S2 Telephone: (519) 623-2620 1

1 (C)
(V)

Mr. John Thomson
City Clerk
Hamilton

Feb. 14/92

Dear Mr. Thomson :

We understand that a proposal for a new by-law is coming before the city. We hear, by way of rumour, that this law proposes to ban circuses. (Oxford dictionary - A travelling show using performing animals.) This will mean that there will no longer be any dog, cat, bird or horse shows. Perhaps everyone who makes their dog roll over or sit while travelling will be guilty of the "crime" of conducting performances. Is there a justifiable reason to ban shows using animals?

First, we feel that if the members of the public, whom you are serving, are about to have their lives drastically curtailed, there should be some reasonable process of notification. If a call to area businesses whose operations are about to be abolished is too much, perhaps an advertisement in the local media should be presented to at least solicit comment. This is a respectful request.

Second, we understand that issues regarding animal use are divided into two distinct fields that do not overlap.

- 1 - Those interested in "Animal Welfare" strive to make improvements to all areas of husbandry so that use does not become abusive.
- 2 - Those interested in "Animal Rights" strive to remove use in any form (use is abuse) and will use any means to this end. Personal injury to users, property destruction, poisoning food supplies and other abuses are all justified.

If some do not fulfill their responsibilities and do not care for their livestock, prosecute. If others do not respect human rights, prosecute. Both parties should receive some therapy for their emotional disorders and neither should be permitted to impose their value system on others by using any means.

Third, we understand that we are not in the city, but in the greater region of Hamilton-Wentworth. However, why shouldn't the region ban use if this body sees fit to do so? Why shouldn't the province? Is there any genuine research which addresses this issue and could help the city make a balanced judgement? We offer for your consideration the conclusions of a book by Dr. Martha Kiley-Worthington. Her PHD is in ethology, the study of animal behaviour. She has written five books, has had scientific papers published, and was hired by the RSPCA to do an 18 month study which resulted in the book *Animals in Circuses & Zoos*.

Please take time to make a rational decision in this matter.

Thank you for the opportunity to respond.

Sincerely,

James Dailley

Humane Society's rules under the gun

THERE should be a suggestion in the story you are about to read that reason has got lost along the road. Tonight the Toronto mayor's committee on racism is going to look at the Toronto Humane Society's new restrictions on membership.

The society has about 3,600 members and receives donations from about 40,000 sources. None of the donations, at a guess, would top the \$762,000 that comes annually from the City of Toronto for purchase of services, which primarily is why the mayor's committee is interested in what the society is doing.

Its new restrictions would ban membership for such persons as the spouses of pet breeders and rodeo promoters, along with slaughterhouse workers, animal researchers, people in the fur trade, those who use intensive confinement systems for farm animals, circus performers, breeders, trappers and sport hunters.

The concern of aboriginal people is that the restrictions are aimed at them in a way that goes beyond rejecting what may or may not be their occupation and targets their culture.

Because of this, and one other related reason, one of the people attending tonight's meeting will be Gordon Peters, regional chief of the First Nations of Ontario; well-known First Nations elder Fred Plain; playwright Thomson Highway; and Dave Monture, secretary-treasurer of Indigenous Survival International.

Mr. Monture has informed the mayor's committee that the membership restrictions would exclude native students in the city who earn summer money as guides, or urban natives who go home to join family members on a moose hunt, or any native people who advocate aboriginal hunting and trapping rights or who sell native crafts made of items such as porcupine quills.

But what has Mr. Monture and others enraged is a paper circulated by Anne Doncaster, president of the National Animal Rights Association and at one time associated with the Humane Society.

Ms. Doncaster and her organization are considered part of the rational, non-violent, non-hating camp of animal-rights activism.

She has said: "People think that the first thing we want to do is declare a 1,000-year vegetable *reich*. Well, this just isn't the way social movements work . . . and not any of them will happen unless you've got the support of the public."

Her paper, entitled *Native People of Canada and the Fur Trade*,

CITYSTATE



MICHAEL VALPY

was presented a couple of years ago to the House of Commons committee on Indian affairs and northern development. Native leaders say it has also been distributed widely to European parliamentarians as part of the association's campaign against the Canadian fur trade.

A few sentences are quoted:

"There is, in some circles, a tendency to romanticize the life of preliterate people for its simplicity and tranquil co-existence with nature.

"However, the evidence shows a very dark side to this existence: a people constantly on the move in search of food; the ever-present threat of starvation; the practices of female infanticide and the abandonment of the old and the sick; the subjugation of women; filth and parasites; and the terror of evil forces, natural and supernatural, which were very largely beyond man's control. Privation, hardship and fear were all realities of the stone-age cultures that existed in North America prior to the arrival of the white man. . . .

"Even though the traditional subsistence stone-age cultures all disappeared in North America, there were some pluses for the native people. The Europeans ended blood feuds, infanticide, the abandonment of the old and the sick and provided better tools and weapons, more comfortable homes and livestock.

"Later the native people received services in education, medicine, communication, recreation, in fact, many if not all of the services the majority of Canadians now enjoy."

The last time I read something like that it was in a speech by former South African President P. W. Botha.

The history of the North American aboriginal peoples is rather clear that they did live in concert with nature, that they accepted limitations on what man could accomplish and that they fell victim to appalling abuse — substantially from various versions of the Christian church — after the arrival of the white man.

Chapter 11

Conclusions

There are approximately 20 circuses operating in Britain at present, of which approximately 14 are members of the Association of Circus Proprietors'. Each circus with animals has from three to eight animal acts. In the larger circuses 1-4 groups of animals are owned by the proprietors and are semi-permanent. Sometimes even these acts may be hired to another circus. All the other animal acts are hired, usually for the season. Acts travel worldwide and there is much exchange between circuses throughout the world. There is a total of approximately 513 animals in British circuses.

The most common wild animals represented in circuses are the elephants and the big cats. Others, such as bears, zebras, camelids, various types of cattle, snakes and primates, go through periods of being popular. The most numerous and popular animal in circus is the horse. Dogs are also well represented.

There are 31 Indian and 6-10 young African elephants in British circuses. The majority of these are female, but there are now males standing at stud. For the other species, there is a slight bias in favour of males in the circus animals, particularly in the horses. The circuses sometimes act as a market for extra males bred by zoos which would otherwise be euthanised (Chapter 3).

Of the carnivores 54% were circus bred - 40% from zoos; 68% of the ungulates were circus born - 14% from zoos. All but two of the elephants were wild caught although the Indians are now between 28-35 years old.

The carnivores, except the dogs, were housed in beast wagons and now have exercise yards when encamped. The space allowance varied from 0.17 - 4.5 cubic metres for an adult lion in the beast wagon. The beast wagons rarely had any cage furniture although shelves are currently being introduced in some. The ungulates were housed in stalls, looseboxes or loose yards in tents. Some were tethered outside and some could run free some of the time. The elephants were shackled habitually in tents, although during my study electric-fenced yards were introduced and some elephants spent the majority of the day in them. Half of the elephants were allowed to move around freely with their handler for approximately 1 hour per day.

Because a circus might have only one of a species, some animals were isolated from conspecifics. However the nature of a moving circus is such that it was not possible for animals or people to be completely isolated. In the zoos and static circuses and winter quarters this was not always the case.

The animals were transported in either their living quarters or horse boxes and converted lorries. No evidence for distress or trauma as a result of transportation was seen as the animals become very used to this.

The animals were adequately fed and they had on the whole good veterinary supervision from the circus and zoo veterinarians. The majority of the animals were in good condition: 90% on tour. However, at the winter quarters 70% of animals were considered not to be in peak condition.

During the past two years 5.4% of the animals had had reported sickness. There was a 0.97% mortality reported to me. These figures are low when compared to farms, zoos and stables.

Drugs and surgery were not used to maintain the system.

The longevity of the animals compared favourably with zoos and domestic animal husbandry systems.

The stockmanship was not always skilled. The stockpeople spent from 1/2 hour to 3 hours per animal per day. The handling of the stock varied from adequate to good.

The training of the animals was generally professional and of high standard and skill. There was, however, insufficient training of the animals going on in many circuses. Some animals had been performing the same routine for some years with no effort to teach them new things. There was no evidence for cruelty, or prolonged pain and suffering during the training of any of the animals I witnessed. Most of the training was done with the aid of positive reinforcement. Negative reinforcement (a whip or verbal scolding) was used sometimes, but no more than is usual with a good horse or dog trainer.

There was some evidence for prolonged or acute behavioural distress in some of the animals in some housing conditions. In general, there was not significantly more of this in the circus animals than in zoos or other animal husbandry systems. There was, in the case of the horses, slightly less. However it can be suggested that if the animal husbandry is appropriate and ethologically and ethically sound, there

should be no evidence of this. This should be possible to achieve in the next generation of animals with the increasing knowledge of the etiology of abnormalities in behaviour, increasing aggression, neuroses and other behavioural pathologies (Chapter 6).

Certain housing conditions (such as being semi-permanently confined to beast wagons, stalls or shackled) severely behaviourally restricted the animals. Such practices are unnecessary and should and can be eliminated.

Animal welfare organisations have argued that circuses by their nature cause suffering and distress to animals. They have also argued that, even if this were shown not to be the case, animals should not be used to entertain human beings, particularly if they are in the process made to look absurd as this undermines humans' respect for them. These are points that have been considered carefully (Chapter 7). The conclusion is that they are invalid, although the campaign against circuses has had a very salutary effect on the circuses themselves and has encouraged them to examine their motives and ideas concerned with the keeping, training and performing of animals.

On the other hand, not all the effects of the campaign to ban animals in circuses have benefited the welfare of the animals. One example of this that I encountered on three separate occasions was that because the council had banned the circus on its grounds, the circus had hired inferior grounds with inferior facilities (less space, very muddy, difficulties in being able to take the animals out etc.).

Much harm was also done to the cause of improving animal welfare as a whole by groups of violent activists (e.g. they smashed up the glass houses of a market gardener in Kent who had been host to a circus the previous week).

This study shows that the welfare of the animals in British circuses, as judged by physical and psychological criteria, is not as a rule inferior to that of other animal husbandry systems such as in zoos, private stables and kennels. It also points out that even if this were to be the case, there is no reason why it should be a necessity of the circus way of life.

It is therefore irrational to take a stand against circuses on grounds that the animals in circuses necessarily suffer, unless they are to take the same stand against zoos, stables, race horses, kennels, pets and all other animal-keeping systems.

There is, however, an argument to be made against the use of animals at all by human beings. This has three major objections. Firstly, it is unrealistic and would require a complete rethink of all of human society, and secondly, it would inevitably result in an even more anthropocentric world and further rapid animal extinctions because of conflicting interest of land use with humans. There is a third, and to my mind major, objection to this approach, and this is that many humans' lives would be substantially impoverished if they were not able to associate with, and even live with animals. It can also be argued that many animals' lives may well be impoverished equally because they have no contact with human beings.

The arguments for wild animals having special status have been examined, and it is concluded that there is no reason to assume that this should be so, or that only 'natural' behaviour is good. The individual's past experience is much more important to consider in designing the environment rather than the species' traditional character of being 'wild' or 'domestic'.

It is relevant here to point out arguments for circuses in terms of animal welfare. Here we are examining what circuses could do, not necessarily what they do do.

Circuses ensure a close relationship between individual animals of different species and individual human trainers and stockpeople. This is because when on the road they must effectively live together 24 hours a day in close encampments, and secondly the animals are trained to perform, which inevitably ensures direct contact between the species. At its best this working relationship does not necessitate domination of one species over the other and could and should leave room for the animal's innovative abilities and self-expression. In this way, the training and performance of the animal can emphasise both the particular species and individual characteristics and can educate the human audience in the cognitive abilities and uniqueness of the species; while at the same time, respecting the individual.

There is little doubt that the close association with individual animals that is possible in the circus is of considerable value to the people directly concerned. It is also possible that the animals themselves may find the training or 'educating' intellectually interesting and gain from it. This may be a reason why there is not more evidence of distress in circus animals kept in restricted and confined conditions. It is nonsense to say that circuses cannot play a role in conservation. To date they

have not been active in this direction, but then nor had zoos until Jersey Zoo pointed out the possible role in breeding endangered species. There is however dispute as to whether this is a worthwhile aim.

It should be remembered that the reason why the dolphins and whales are receiving so much of the conservationists' attention is because of their demonstrated cognitive abilities, and their popularity often as a result of the public seeing them performing feats in aquaria. There are many other animals which are equally or more seriously threatened (e.g. the black rhinoceros, or the Orinoco crocodile) but which have not come to the public's attention because they have not demonstrated their cognitive abilities in the same way... they are not considered 'as intelligent'.

Circuses could have an important role to play here, particularly in relation to the elephants and some of the threatened big cats. I see this role not only in breeding the endangered species (which as in the case of the snow leopard they have already had some success with) but in raising public interest to the plight of species by demonstrating their special cognitive abilities.

Circuses are perfectly placed to do research on cognition: how and what different species can learn; how and what they think, and how they perceive the world: their 'telos'. They are well placed to do research on the effect of past experience and imprinting since they breed and rear several wild and domestic species. They can also collect much information on individual differences within species, and personality profiles.

Finally, they are uniquely placed to be able to do research on the human-animal relationship with both wild and domestic animals, and to learn much from the close association and familiarity from the animals about both humans and animals.

In this way they could have an important role to play in educating the public and heightening the respect for individual animals, their unique intelligences and amazing abilities.

On balance, I do not think that the animals' best interests are necessarily served by money and activities diverted to try and ban circuses or zoos either locally or nationally. What is much more important is to continue to encourage the zoos and circuses to improve their animal welfare along the lines pointed out in Chapters 9 and 10, and to back some inspection to ensure certain criteria are met in the animal

keeping and training. In this it is important to mention that there should be no discrimination in favour of the larger zoos and circuses; some of the small ones were found to have high standards.

There is no doubt that this project has had a considerable effect on the upgrading of the animal husbandry in circuses at least, and on making the circus people think about the problems. For example, during this time the circus veterinarian introduced a series of requirements for inspection (see Appendix 1), which has been updated subsequently. Electric-fenced enclosures were introduced for the elephants. Exercise yards became necessities for the carnivores. The proprietors are now considering electric-fenced enclosures for more of the hoofed stock and horses, and one proprietor is consulting me on how to integrate previously stalled horses into a social group. Some further thought is going into the animal acts in order to display the species' particular characteristics.

Animal training sessions have become open to the public in a couple of circuses, and some educational material for the public on species and individuals is in preparation. The training of trainers and stockpeople is being considered but a more thorough training certificate for zoo and circus staff is essential.

There are still many improvements that could be made, particularly at the winter quarters. One constructive approach would be for the animal welfare organisations to offer an annual award, with accompanying publicity, for the circus which has the 'best' animal husbandry and most appropriate animal acts to enhance the species and display the animals' abilities. This has already been instigated for zoos [171].

Finally, let me reemphasise that the animal husbandry and environmental design for the animals in zoos and circuses needs to be improved, along the suggested lines. Let us hope that this occurs over the next decade and thereafter we continue to develop in our understanding and development of Animal Rights, as we continue to keep a watch on Human Rights. Ethically, ecologically and ethologically acceptable ways of inter-species associations are possible and desirable, and they could develop even in zoos and circuses. For this to happen, though, such institutions must change, not be banned.

FINANCE AND ADMINISTRATION COMMITTEE

THURSDAY, 1992 FEBRUARY 20

CONSENT AGENDA

A. ADOPTION OF THE MINUTES

Regular meeting 1992 February 06.

B. MANAGER OF PURCHASING

Mobile Equipment Maintenance Contract, 1992, 1993, Various Departments

C. CITY CLERK

- (i) General Crear - City of Hamilton Silver Presentation Tray
- (ii) Use of Council Chamber - Mayor's Race Relations Committee
- (iii) Regional Land Division Committee Distribution List
- (iv) Civic Awards - Hamilton Spartans Football Club
- (v) Civic Award - Canadian Federation of Amateur Roller Skaters

D. ACTING DIRECTOR OF PUBLIC WORKS

Request to Replace Vibratory Roller 9726 from the 1991 Depreciation List with Vibratory Roller 9727

E. HAMILTON CORPORATE CHALLENGE

F. ACTING TREASURER

Remuneration and expense paid to members of City Council and members of other bodies for the year 1991.

G. COMMISSIONER OF HUMAN RESOURCES

- (i) Employment Equity Proposal: Government of Ontario
- (ii) Salary Classification - Administrative Co-ordinator (Cemeteries)
Department of Public Works (C-016-092)
- (iii) Appointments To and Terminations From Permanent Positions with the
Corporation of the City of Hamilton (C-017-092)

A

Thurs
9:30 o
Room 233, City Hall

The Finance and Administration Committee met.

There were present: Alderman D. Ross, Chairman
Alderman B. Charters, Vice-Chairman
Mayor R. M. Morrow
Alderman T. Cooke
Alderman D. Drury
Alderman G. Copps
Alderman D. Agostino
Alderman T. Anderson
Alderman V. Agro

Also present: Alderman B. Morelli
Alderman T. Jackson
Alderman H. Merling
Alderman F. Eisenberger
J. Pavelka, Acting Chief Administrative Officer
R. Hammel, Acting Treasurer
J. Thompson, Secretary

1. DELEGATIONS

(a) Tivoli Theatre Proposal

Committee received a delegation consisting of Alderman W. M. McCulloch, Mr. Douglas Roger, Mr. Guy Sprung, Mr. Brian Morton and Mr. Reg Wheeler, representing the Tivoli Foundation for the Arts requesting that the City of Hamilton approve a loan guarantee of \$100,000. to ensure the operation and preservation of the Tivoli Theatre on James Street North in Hamilton.

The Committee had before it a report of Mr. I. R. Hammel, Acting Treasurer dated 1992 January 30 containing the following recommendations:

- (a) That the Finance and Administration Committee not support the request for the Tivoli Foundation for a loan guarantee from the City in the amount of \$100,000.
- (b) That the Tivoli Foundation Group continue discussions with the Manager of Purchasing and the Managing Director/CEO of HECFI with respect to obtaining usable surplus equipment or material from City facilities in accordance with the established purchasing policy on Disposal of Surplus City Property.
- (c) That the Tivoli Foundation Group continue to seek grants from the upper levels of government as well as from private subscription.

Mr. Rogers, spokesperson, addressed the Committee and explained that it will be extremely difficult to seek grants from the upper levels of government without a strong demonstration of financial support from the City of Hamilton. He said that the Foundation must clearly demonstrate and show evidence that the City is interested in preserving the Tivoli Theatre.

Alderman McCulloch submitted that the City's financial support in the form of a loan guarantee would be an interim step to keep the theatre in operation and buy time for continuing purchase negotiations between the Tivoli Foundation and the owner of the property.

The Acting Treasurer indicated in his report that it would be necessary for the City to set aside \$100,000. from its own resources in compliance with the Municipal Act in order to offer a loan guarantee.

Following considerable discussion it was moved by Alderman Anderson, seconded by Alderman Charters and carried that the request of the Tivoli Foundation for a loan guarantee from the City in the amount of \$100,000. be taken under advisement.

(b) We Care Kennel Inc. - Pet Care and Control

Mr. Ken Blacquiere, We Care Kennel Inc., 163 Canada Street, Hamilton, Ontario, appeared before the Committee and presented a brief on responsible pet care and control.

He proceeded to explain that existing pet care and pet control systems are based on a system of "adoption" whereby strays and lost animals are looked after by the system itself until permanent homes can be found. The burden of responsibility is placed upon the pet care industry itself, such as the H.S.P.C.A. and not upon pet owners, resulting in a heavy financial burden upon all taxpayers.

He explained that as an alternative, We Care Kennel Inc. offers a system of responsible pet care and control through a form of pet "I.D." with records being kept on computer file, so that lost animals can quickly and easily be returned to their owners. Ultimately, costs for such care and control are the responsibility of the owner alone with a decreased reliance upon taxpayers, a reduction in necessary tax support will be realized.

Following consideration it was moved by Mayor Morrow and seconded by Alderman Agro and carried that Mr. Blacquiere proposal be taken under advisement.

(c) H.S.P.C.A. - NEW SHELTER

The Committee received a delegation consisting of Mr. Cam Stableford, General Manager, H.S.P.C.A., Mr. John Header, President, Board of Directors of the H.S.P.C.A., six other board members and some volunteers of the H.S.P.C.A. regarding the construction of the new facilities for the H.S.P.C.A. shelter.

The Committee had before it a report of Mr. Cam Stableford, General Manager, dated 1992 January 29 advising that the purpose of the presentation is two-fold; to bring the Committee up to date concerning various aspects of the development of plans regarding the construction of the new facilities and to more formally address the capitalization of the project specifically with respect to the participation of the Corporation of the City of Hamilton.

The request and recommendation of the Board of Directors for City of Hamilton funding is as follows:

- (a) That the City of Hamilton set aside funds in its funds in its 1992/1997 capital budget to assist the Hamilton Society for the Prevention of Cruelty to Animals in the construction of new animal control/humane society headquarters on the Dartnell Road.
- (b) That the amount of City of Hamilton contribution be an amount that matches the private funding provided by the H.S.P.C.A. through capital reserves, fundraising campaigns and other gifts.
- (c) That the amount of the City of Hamilton contribution be limited to a maximum amount of \$3.5 million.

Following consideration, the Committee directed that the presentation of the Board of Directors of the H.S.P.C.A. be referred to the capital budget process for consideration and recommendation.

(d) Mr. Duncan Beattie City Appointee to the Hamilton Harbour Commissioners

Mr. Duncan Beattie, City's appointee to the Hamilton Harbour Commissioners appeared before the Committee to present a status report on the development of the west harbour area.

Mr. Chris Firth-Eagland of the City's Public Works Department was also in attendance and made a brief presentation on the City and Regional initiatives for the development of the west harbour area.

He reviewed the elements of the master concept plan for the development of Pier 4, which has been approved by the City of Hamilton. He also reviewed the City and Regional initiatives to improve public access to the west harbour area and the components of the Lax Property development. He explained the proposed project which has been presented by the Fish and Wildlife Restoration Committee to the Federal Department of Environments (DOE) Great Lakes Clean-up Fund. The DOE approved \$4.2 million of the total \$12.6 million required over the next three years to complete the fish and wildlife rehabilitation program. The agencies which are committed to bringing fish and wildlife back to Hamilton Harbour are working in close co-operation with a large number of public and private partners to ensure additional funding and a successful project. The project will include off-shore islands and boardwalks conducive to fish and wildlife habitat.

Mr. Beattie submitted that the City of Hamilton should formally ask the Hamilton Harbour Commissioners to return the three water lots west of the proposed waterfront park in the west harbour area to the City of Hamilton. He suggested that the board may consider using the water lots for a possible port for transport containers.

Mr. Beattie proceeded to explain that although the Hamilton Harbour Commissioners have not declared the water lots one, two and three surplus to commercial shipping and navigation, the container port is a vision of the Commissioners and that they have no formal plans to develop water lots. The Hamilton Harbour Commissioners appear to be waiting for the City to indicate their wishes with respect to the future development of water lots.

Alderman Cooke submitted that from the City's perspective, the future of the West Harbour is dedicated to recreational pursuits. The Committee should underline the value of the west harbour as a valuable recreational asset of the City. He said that water lots one, two and three should be dedicated for recreational development to ensure and preserve the value of the West Harbour.

Following considerable discussion the City agreed to recommend to City Council that Mayor Morrow be formally empowered to meet with the Hamilton Harbour Commissioners on behalf of City Council and make a request for the Hamilton Harbour Commissioners to release water lots one, two and three in the west harbour to the City of Hamilton for recreation purposes.

(e) H.E.C.F.I. Surplus Funds

The Committee received a delegation comprised of Mr. Gabe Macaluso, Managing Director/CEO, Mr. John Leuser, Director of Finance and Administration and Mr. Gene Kay, Chairman, H.E.C.F.I. respecting a 1991 budget surplus.

On behalf of the Board of Directors of H.E.C.F.I. Mr. Kay advised the Committee that there will be a substantial budget surplus of \$378,000. for the fiscal year of 1991. He submitted that the Board will continue to focus on increasing revenue for all three city-owned facilities and streamlining operations in order to provide a more efficient and effective operation.

2. CONSENT AGENDA

A. ADOPTION OF MINUTES

The minutes of the Finance and Administration Committee for its regular meeting held 1992 January 23 were adopted as circulated.

B. MANAGER OF PURCHASING

As outlined in a report from the Manager of Purchasing, the Committee agreed to submit the following recommendation to City Council for approval:

That a purchase order be issued to King Equipment, Woodstock, in the amount of \$132,486.04, for the replacement of one (1) 26,000 lb. chassis with aerial device, Unit #9001, for Fleet Services, being the lowest acceptable of nine (9) tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and that this expenditure be financed through Reserve for Replacement of Mobile Equipment Account No. CH5X503 00101.

C. CITY CLERK

(i) Flying Estonian Flag

As outlined in a report from the City Clerk the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That permission be granted to the Estonian Society of Hamilton to fly the Estonian flag at City Hall from 1992 February 19 - 25 in honour of the 74th Anniversary of the Independence of Estonia.

- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(ii) Use of City Hall Meeting Rooms - Congress of Black Women of Canada

As outlined in a report from the City Clerk the Committee agreed to submit the following recommendation to City Council for approval:

That permission be granted to the Congress of Black Women of Canada in association with the Ontario Ministry of Citizenship, Policy Services Branch, to use City Hall meeting rooms 264, 219 and 233 on Saturday, 1992 March 07 from 8:00 a.m. - 5:00 p.m. for workshops entitled "Wife Assault Prevention Training Programmes."

(iii) Use of Second Floor - Black History Month Display

As outlined in a report from the City Clerk the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That approval be given to the action taken by the Finance and Administration Committee in granting permission to the Black History Committee to use the east and west foyer of the City Hall second floor from 1992 February 1 - 14 for a Black History Display.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(iv) Flying the Lithuanian Flag

As outlined in a report from the City Clerk the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That permission be granted to the Hamilton Lithuanian Canadian Community to fly the Lithuanian flag at City Hall on Sunday, 1992 February 16 in commemoration of the anniversary of the original Declaration of Independence of 1918 February 16 in Lithuania.
- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

(v) Use of Council Chambers - Hamilton Aids Network for Dialogue and Support (HANDS)

As outlined in a report from the City Clerk the Committee agreed to submit the following recommendation to City Council for approval:

That permission be granted to the Hamilton Aids Network for Dialogue and Support (HANDS) to use the Council Chambers on Saturday and Sunday, 1992 April 11 and 12 to host the Ontario Aids Network Quarterly Conference.

vi) Taxi Advisory Committee Membership Composition

As outlined in a report from the Taxi Advisory Committee the Committee agreed to submit the following recommendation to City Council for approval:

For the information of the Members of City Council, the Finance and Administration Committee, on the recommendation of the Taxi Advisory Committee, has approved that the membership composition of the Taxi Advisory Committee be amended by deleting the following three categories:

Taxi Owners Organization representative (1)
Cab Driver/Lessee (1)
Taxi Owner representative (1)

and replacing them with:

Taxi Industry Professionals (3) (who equitably represent the Taxi Industry in Hamilton, and may be drivers, lessees, owners, or representatives of the taxi organization).

(vii) Proposed Incorporation of "Council on Suicide Prevention (Hamilton & District) Inc."

As outlined in a report from the City Clerk the Committee agreed to submit the following recommendation to City Council for approval:

That City Council consent to the use of the name "Hamilton" in the proposed incorporation of "Council on Suicide Prevention (Hamilton & District) Inc."

D. HAMILTON FIRE DEPARTMENT

As outlined in a report from the Hamilton Fire Department the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That the Hamilton Fire Department-Fire Prevention Service Fee Schedule, attached as Appendix "A", be approved.
- (b) That this fee schedule be increased annually for the rate of inflation.

E. ACTING TREASURER

(i) Write-off of Outstanding Business Taxes

As outlined in a report from the Acting Treasurer the Committee agreed to submit the following recommendation to City Council for approval:

That the outstanding business taxes in the amount of \$196,109.80, as outlined in a report of the Acting Treasurer dated 1992 January 21, copies of which have been previously distributed to all members of City Council, be written-off in accordance with Section 495 of The Municipal Act, R.S.O., 1980, and charged to Account 53401-24106, Tax Write-Offs.

(ii) **Financing 1992 Proposed Road and Sidewalk Capital Improvement Programme**

As outlined in a report from the Acting Treasurer the Committee agreed to submit the following recommendation to City Council for approval:

That, as referred to in Section 12 of the Third Report of the Transport and Environment Committee for 1992, the additional amount of \$2,536,000. for 1992 Road and Sidewalk Reconstruction Programme to a total amount of \$5,500,000. which includes 1992 Streetlighting Construction Programme of \$203,000. out of the proposed \$8,120,000. budget, be financed from the 1992 Capital Levy having regard to the expected MTO subsidy in the amount of \$1,760,000.

(iii) **Financing 1992 Servicing Expenditures Related to Subdivisions**

As outlined in a report from the Acting Treasurer the Committee agreed to submit the following recommendation to City Council for approval:

That, as referred to in Section 1 of the Third Report of the Transport and Environment Committee for 1992:

- (a) The revised City's share of "Gagliano Gardens Addition" subdivision in the amount of \$134,250. be financed from the Reserve for City's Share of Services Through Unsubdivided Lands;
- (b) The City's share of the "The Gardens of Rymal - Phase 2" subdivision in the amount of \$410,110.80 be financed from the Reserve for City's Share of Services Through Unsubdivided Lands.

(iv) **Financing Alterations to Provide for Concessions at Mountain Skating Centre**

As outlined in a report from the Acting Treasurer the Committee agreed to submit the following recommendation to City Council for approval:

That, as referred to in Section 4 of the Third Report of the Parks and Recreation Committee for 1992, the estimated cost of \$32,900. for facility alterations to the Mountain Skating Centre to permit the operation of concessions at this location, be charged to the Mountain Arena Twinning Project, Centre No. CF 709041011.

(v) **Financing Priority Parks Acquisitions - Various Locations**

As outlined in a report from the Acting Treasurer the Committee agreed to submit the following recommendation to City Council for approval:

That, as referred to in Section 3 of the Third Report of the Parks and Recreation Committee for 1992, the Neighbourhood parks acquisition cost in the amount of \$189,662.78 be financed from the Reserve for Park Lands Account Centre CH 00201 as follows:

Crown Point West	\$81,682.21
Corktown	2,333.52
Stinson	90,834.42
Keith	14,812.63
	<u>\$189,662.78</u>

F. ACTING DIRECTOR OF PUBLIC WORKS

As outlined in a report from the Acting Director of Public Works the Committee agreed to submit the following recommendation to City Council for approval as amended:

- (a) That the Community Renewal Section of the Public Works Department be authorized to make application to the Federal Government, Canadian Job Strategies Department, for funds under the Job Development Grant and Section 25 Programme totalling approximately one hundred and fifty-five thousand dollars (\$155,000.) to hire temporary full-time staff for placement in the offices of all the Business Improvement Areas (B.I.A.'s) to foster a partnership amongst the B.I.A.'s and the City of Hamilton, also to assist the B.I.A.s' Boards of Management in delivery of services;
- (b) That the Mayor and City Clerk be authorized to sign the Federal/Municipal Agreement for the purpose of implementing the Job Development Grant Section 25 Programme;
- (c) That the Acting Treasurer be authorized to execute the financial administration of the Job Development Grant Section 25 Programme; and,
- (d) That the City Solicitor be authorized to execute the agreement referred to in (b) above.

G. CITY SOLICITOR

The Committee agreed to recommend to City Council that leave ben granted to introduce the following Bill:

Bill H-11 A By-law to Amend Various Licensing By-laws
Respecting Fines

H. DIRECTOR OF PROPERTY

As outlined in a report from the Director of Property the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That authorization be given to the Director of Property to undertake physical improvements to the Aldermen's Offices, which include painting and decorating, and the purchase of the equipment and furnishing requested by Aldermen (workstations, chairs, filing cabinets, shelving) at an estimated cost of \$8,500.

- (b) That the cost of the improvements to Aldermen's Offices be charged to Account No. CF 319041002 - Accommodation Requirements - City Hall.

I. FCM - CHINESE OPEN CITIES PROJECT

The Committee received a letter from FCM dated 1991 December 13 dealing with the Chinese Open Cities project which was forwarded to the City of Hamilton as the City has a formal twinning relationship with Ma,anshan, China.

In receiving the letter from FCM the Committee also received a memorandum from the Secretary dated 1992 January 21 containing background information on the City's twinning arrangement with Ma,anshan, China.

3. THEATRE TERRE NOVA

The Committee had before it a report of the Acting Treasurer dated 1992 January 29 containing the following recommendations:

- (i) that the borrower enters into a Mortgage Amending Agreement with the City;
- (ii) that the Mortgage Amending Agreement permit the borrower to have the reduced monthly payment for a maximum of one year in order to provide the opportunity to satisfy the property tax arrears obligations with the City;
- (iii) that the Mortgage Amending Agreement is prepared by the borrower's solicitor in a form satisfactory to the Law Department;
- (iv) that the borrower's solicitor certify to the City that the Mortgage Amending Agreement has been duly authorized, executed and registered by the borrower and is enforceable according to its terms.

The Committee agreed that the reduction of the monthly mortgage payments was unacceptable and directed that the necessary arrangements for members of the Board of Directors of Theatre Terra Nova to meet with the Finance and Administration Committee at its next regular meeting on 1992 February 20 to outline a viable and solid plan of action to repay the interest-free loan of \$225,000. by the City.

4. TEMPORARY CLOSURE OF CAFETERIA - HAMILTON CITY HALL - ASBESTOS REMOVAL

As outlined in a report of the Director of Property dated 1992 January 30, the Committee agreed to submit the following recommendations to City Council for approval:

- (a) That the Agreement with Carmen's Catering Ltd. for the provision of Cafeteria/Food Services on the 8th floor level of Hamilton City Hall commence on their first day of opening of business, which at this time is projected to be Monday, 1992 April 20, rather than the original date of 1992 April 06, as recited in Section 39 of the 2nd Report of the Finance and Administration Committee adopted by Council 1992 January 14.
- (b) That the rent to be paid by Carmen's Catering Ltd. to the City while they are temporarily operating a reduced level food service from the basement level of City Hall, be in a sum which is represented by 10% of the gross sales generating during the temporary operation.

5. DEVELOPMENT CHARGES BY-LAW 90-74

As outlined in a report of the Building Commissioner dated 1992 January 30, the Committee agreed to submit the following recommendations to City Council for approval:

- (a) In that infill development creating 10 or less residential dwelling units, through conversion or construction on an existing previously developed lot, imposes no additional demand for services, no development charge shall be applied under the City of Hamilton Development Charges By-law 90-74.
- (b) That the above policy be forwarded to the Region of Hamilton-Wentworth for consideration in order to harmonize the application of the City and Regional Development Charges By-law.
- (c) That, in light of the present economic difficulties, the fees applicable in the Development Charges By-law 90-74 be referred to a staff committee consisting of representatives of the following Departments:

Law Department	Planning & Development Department
City Treasury Department	Fire Department
Public Works Department	Building Department
Traffic Department	Acting Chief Administration Officer
Culture & Recreation Department	

and chaired by the Building Commissioner to be reviewed and report back to the Finance and Administration Committee.

6. INTERNATIONAL GREAT LAKES/ST. LAWRENCE MAYORS' CONFERENCE SECRETARIAT FUNDING

In the absence of the Mayor, the Committee agreed to table this item until the next regular meeting on 1992 February 20.

7. REFERRAL FROM PARKS AND RECREATION COMMITTEE TO TRANSFER GRANT FUNDS TO ANNUAL RECREATIONAL SPECIAL EVENTS/PROGRAMMES

As outlined in a report of the Grants Co-ordinator dated 1992 January 16, the Committee agreed to submit the following recommendation to City Council for approval:

- (a) That the following 1991 Grant base funds be transferred to the Special Events component of the Department of Culture and Recreation budget for implementation in 1992 on the basis that recreational staff have a direct operational involvement in the groups activities:

Around the Bay Road Race	\$ 5,000.
Folk Arts Heritage Festival	25,000.
Santa Claus Parade	18,400.
Catholic Youth Organization	12,810.
First Place (Seniors)	<u>6,500</u>
	<u>\$67,710.</u>

- (b) That the Grants total budget be reduced by \$67,710. to \$532,290. for 1992.

8. IN CAMERA AGENDA

The Committee then adjourned to meet In Camera to consider a number of private and confidential reports.

Reconvening in open session the Committee agreed to submit the following recommendations to City Council for approval:

- (a) That Mr. Robert Sugden's contract as Director of Culture and Recreation be renewed for a five-year period commencing 1992 May 10, under the terms and conditions as set out in the employment contract.
- (b)
 - (i) That the City of Hamilton accept the Plaintiff's Offer to Settle dated 1992 January 08 in Ontario Court (General Division) Action No. 10170/88 (damages with interest total \$14,749.50, exclusive of costs).
 - (ii) That the Law Department be instructed to exercise the right provided in the Offer to Settle to have the legal costs assessed.
 - (iii) That City of Hamilton offer to resolve the issue of legal costs by fixing the Plaintiff's costs in the amount of \$2,400. for legal fees and \$844.77 in disbursements for a total of \$3,244.67.
- (c)
 - (i) That the City of Hamilton resolve Ontario Court (General Division) Action No. 11030/88 by the payment to the Plaintiffs Antonia and Frank Pelaio of the sum of \$3,000. inclusive of all damages, interest and costs.
 - (ii) That the Plaintiffs be required to sign a Full and Final Release in a form satisfactory to the Law Department.
 - (iii) That Ontario Court (General Division) Action No. 11030/88 and any and all cross-claims shall be dismissed without costs.
- (d) That, in the event of a confirmation of the assessment findings of the Lax Brothers' legal costs on 1992 January 21, Counsel, Ian Binnie, McCarthy-Tetrault, be instructed to file a Notice of Appeal pursuant to s.103(4)b of the Courts of Justice Act, 1984.

The meeting then adjourned.

TAKEN AS READ AND APPROVED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

J. Thompson, Secretary
1992 February 12

B

CITY OF HAMILTON
- RECOMMENDATION -

FEB 10 1992

DATE: 1992 February 6

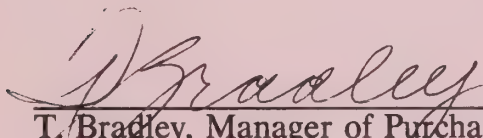
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: MOBILE EQUIPMENT MAINTENANCE CONTRACT, 1992, 1993,
1993, VARIOUS DEPARTMENTS

RECOMMENDATION:

That a purchase order be issued to Motorola Canada Ltd., Hamilton, in the amount of \$148,253.28 for mobile equipment maintenance during 1992, 1993, 1994 for various departments, being the lowest acceptable of four tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and that this expenditure be financed through various accounts.


T. Bradley, Manager of Purchasing

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:
N/A

BACKGROUND: Tender Analysis	<u>1992</u>	<u>1993</u>	<u>1994</u>
Mobile Communications Services, Hamilton	\$35,567.00	\$35,567.00	\$35,567.00*
Motorola Canada Ltd., Hamilton	40,498.34	42,929.72	45,487.84
Ericsson G.E., Mississauga	45,219.82	47,169.65	48,902.99
Bell Mobile Communications, Mississauga	64,518.24	67,763.60	71,146.86

* Do not comply with specifications in three areas.
GST and PST are extra to these prices.

CITY OF HAMILTON
- RECOMMENDATION -

C (i)

DATE: 1992 February 10

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: General Crerar -
City of Hamilton Silver Presentation Tray

RECOMMENDATION:

- (a) That permission be granted for the use of the Council Chamber on Saturday, 1992 March 14 at 11:00 a.m. for a presentation ceremony at which time General P.S.A. Todd's family will present the General Crerar tray to the City of Hamilton.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Account CH 55222-10034 - Use of City Facilities and Equipment by Outside Groups for staff overtime associated with this event in the appropriate amount of \$90.00.

BACKGROUND: n/a

c.c. Mayor's Office
Alderman Wm. McCulloch
Rob Swan, Manager, Property Maintenance Division
Debbie Geroux, City Clerk's Office
Information Desk
File

CITY OF HAMILTON
- RECOMMENDATION -

C (ii)

DATE: 1992 February 6

REPORT TO: John D. Thompson, Secretary
Finance and Administration Committee

FROM: J.J. Schatz
City Clerk

SUBJECT: Use of Council Chamber -
Mayor's Race Relations Committee

RECOMMENDATION:

- a) That permission be granted to the Mayor's Race Relations Committee to use the City Hall forecourt (or in the event of inclement weather, Council Chamber) and second floor foyer on Saturday, 1992 March 21 from 10:00 a.m. - 2:00 p.m. to celebrate International Day for the Elimination of Racial Discrimination.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Sufficient funds are available in Mayor's Race Relations Committee Account No. CH55236-82030 for staff overtime in the approximate amount of \$90.00, associated with this event.

cc: Mayor's Office
Rob Swan, Manager, Property Maintenance Division
Debbie Geroux, City Clerk's Office
Information Desk
File

CITY OF HAMILTON
- RECOMMENDATION -

C (iii)

DATE: 1992 February 12

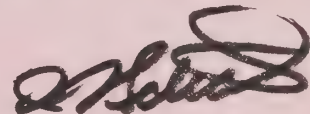
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. J.J. Schatz
City Clerk

SUBJECT: Regional Land Division Committee Distribution List

RECOMMENDATION:

That the Building Commissioner be designated as the recipient of meeting notices, applications and decisions from the Regional Land Division Committee in lieu of the City Clerk in accordance with Ontario Regulation 406/83 of the Planning Act, R.S.O. 1983.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Not applicable.

BACKGROUND:

This measure is in keeping with the City's continuous improvement plan to streamline administrative procedures wherever possible and to avoid unnecessary duplication and filing. The City Clerk's Department is not required to respond to these applications and decisions and the City Departments that are required to comment are already notified of the applications separately.

The Planning Act indicates that the Council of a local municipality may by resolution designate another officer of the municipality to receive a copy of the meeting notices, applications and decisions in lieu of the City Clerk.

CITY OF HAMILTON
- RECOMMENDATION -

C (iv)

DATE: 1992 February 13

REPORT TO: J. D. Thompson, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: CIVIC AWARDS - HAMILTON SPARTANS
FOOTBALL CLUB

RECOMMENDATION:

- a) That Civic Gold Rings be awarded to the following members of the Hamilton Spartans Football Club for winning the 1991 Canadian Men's Masters' Championship:

Kerry Smith
Whitey Jeffries
Paul Allingham
Terry Papp
Emil Radoslav
Joe Morrisson
Rick Lane

- b) That the appropriate diamond/ruby insert for previously awarded gold rings be awarded to the following members of the Hamilton Spartans Football Club for winning the 1991 Canadian Men's Masters' Championship:

Ian Ross	-	ruby insert
Barry Hutton	-	ruby insert
Al Robertson	-	diamond insert
Vic Blicharski	-	diamond insert
Warren Peaks	-	diamond insert
Jeff Brandham	-	diamond insert
David Derbyshire	-	diamond insert
David Hart	-	diamond insert
Karl Seifried	-	diamond insert

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately \$2,377.00 to be financed from Account No. CH56126 84010.

BACKGROUND:

Confirmation of this championship has been confirmed by Football Canada.

CITY OF HAMILTON
- RECOMMENDATION -

C(v)

DATE: 1992 February 13

REPORT TO: J. D. Thompson, Secretary
Finance and Administration Committee

FROM: J. J. Schatz
City Clerk

SUBJECT: CIVIC AWARD - CANADIAN FEDERATION OF
AMATEUR ROLLER SKATERS

RECOMMENDATION:

That a diamond insert for a previously awarded civic gold ring be awarded to Lenore MacDonald for winning the 1991 Masters Figures Division National Championship for Roller Skating.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately \$98.00 to be financed from Account No. CH 56126 84010.

BACKGROUND:

Confirmation of this championship has been received from the Canadian Federation of Amateur Roller Skaters.

CITY OF HAMILTON
- RECOMMENDATION -

D

DATE: 1992 February 11 FEB 13 1992


REPORT TO: Mr. J.D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D. Lobo,
Acting Director of Public Works

SUBJECT: Request to Replace Vibratory Roller 9726
from the 1991 Depreciation List With
Vibratory Roller 9727.

RECOMMENDATION:

That Roller 9727 a 1988 Bomag Vibratory Walk Behind Roller instead of 9726 a 1988 Bomag Vibratory Walk Behind Roller be replaced from the 1991 Reserve for Replacement of Mobile Equipment Account.



D. Lobo
Acting Director of Public Works



R. Hammel
Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Since the list was submitted for approval it has been found that the engine on 9727 would require replacement at a cost of approximately \$ 3,000.00 over the normal maintenance costs. It will be more economical to retain and maintain roller 9726 for the coming year, as 9726 and 9727 are considered equals. By replacing roller 9726 on the Replacement List with Roller 9727 a savings of approximately \$ 3,000.00 would result.

1992 February 11

BACKGROUND:

The original Replacement List approved May 13, 1991 included 9726, a 1988 Bomag Vibratory Walk Behind Roller for replacement during 1991. Since that time, it has come to staff's attention that roller 9727, a 1988 Bomag Vibratory Walk Behind Roller has a defective engine and the engine repairs would be approximately \$ 3000.00.

Rather than repair the engine on roller 9727 it is being recommended that we replace roller 9726 on the Replacement List with Roller 9727, as both rollers are equal and save the City from having to spend approximately \$ 3,000.00 for engine repairs to roller 9727.

c.c. G.T. Kerr Manager of Fleet Services
T. Bradley Manager of Purchasing
D. Manningham Vehicle Acquisition Officer
L. Barker Acting Office Manager
S. Chandrashekar Supervisor of Accounting
D. Duncan Superintendent of Streets & Sanitation

CITY OF HAMILTON
- RECOMMENDATION -

E

DATE: 1992 February 14

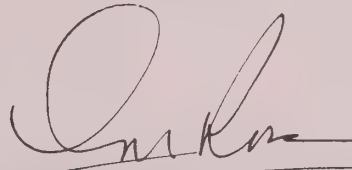
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Alderman D. Ross
Chairman, Finance and Administration Committee

SUBJECT: HAMILTON CORPORATE CHALLENGE

RECOMMENDATION:

- (a) That, consistent with previous years, a grant in the amount of \$2,537. be made to the Hamilton Corporate Challenge to be used towards the cost of entering and sponsoring two (2) teams of Civic Employees taking part in the Hamilton Corporate Challenge being organized by the Hamilton and District Chamber of Commerce and which will be held on Sunday 1992 June 14 at Christie Conservation Area.
- (b) That this expenditure be financed from the unclassified account.



Alderman D. Ross, Chairman

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

See above.

BACKGROUND:

The City of Hamilton has provided the necessary funding to enter and sponsor (2) teams of Civic Employees since the inception of the Hamilton Corporate Challenge.

1992 January 30

Alderman D. Ross, Chairman
Finance & Administration Committee
City Hall

Dear Alderman Ross:

Once again it is time for the "HAMILTON CORPORATE CHALLENGE".

The "CHALLENGE" is a competitive sports day organized by the Hamilton & District Chamber of Commerce. In 1991, the competition drew in one hundred (100) teams from various corporate sponsors throughout the City.

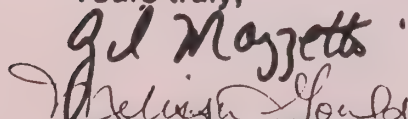
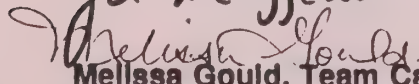
The City of Hamilton has sponsored teams since 1986. Each team consists of twenty (20) employees from various civic departments (10 male and 10 female). The aim of the CORPORATE CHALLENGE is to promote good health and physical activity. It is also hoped that the "CHALLENGE" will help to foster greater understanding and co-operation amongst all members of the corporate community.

The sponsorship involved has been increased to \$200. per team entry fee, plus the cost of team uniforms, equipment and GST which total \$2,537.00 for both teams (itemized list attached).

This year, the CHALLENGE will be held on Sunday, 1992 June 14 at Cristle Conservation Area. The entry deadline is May 1992 but, the Chamber of Commerce is encouraging prompt responses and will only accept the first one hundred (100) entries.

It is hoped that the City of Hamilton will take an active part in supporting this year's teams. Thank you for your anticipated co-operation in assisting the teams this year.

Yours truly,



Melissa Gould, Team Captain
G. J. Mazzetti, Team Captain

c.c.: C. Coutts, Secretary, Finance & Administration Committee

HAMILTON CORPORATE CHALLENGE
Itemized List of Equipment and Supplies
[two (2) teams - 40 people]

Registration Fee (\$200. per team + GST)	\$ 438.00
Complete Rental-Alls (Tent & B.B.Q) [Delivery, Set-up and Removal]	\$ 550.00 (includes tax)
Uniforms (2 teams -- 40 people)	\$ 1,520.00
Van (City Garage)	\$ 29.00
<u>TOTAL REQUIRED FOR SUPPLIES & EQUIPMENT</u>	<u>\$ 2,537.00</u>

F

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 February 14

REPORT TO: Mr. J.D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. Roy Hammel
Acting Treasurer

**SUBJECT: REMUNERATION AND EXPENSES PAID TO
MEMBERS OF COUNCIL AND MEMBERS OF
OTHER BODIES FOR THE YEAR 1991**

RECOMMENDATION:

That the attached statement of the Acting Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1991 be received by Council.



I.R. Hammel, Acting Treasurer

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

N/A

BACKGROUND:

According to The Municipal Act, Section 243, the City Treasurer is required to prepare a statement of remuneration and expenses to Members of Council and Members of Other Bodies for the year 1991.

Attachments

City of Hamilton
Treasury

STATEMENT OF THE TREASURER

(Prepared Pursuant to By-Law 79-60 Approved by Council January 29, 1979,
By-Law 79-300 Approved by Council October 30, 1979 and Section 243 of the
Municipal Act, R.S.O. 1980, Chapter 302)

1. REMUNERATION

(a) Members of Council -----	Salary * -----
Agostino, D.	19,905.87
Agro, V. J.	19,905.87
(2) Anderson, T.	1,528.96
(2) Charters, R.	1,528.96
Cooke, T.	19,905.87
Copps, G.	19,905.87
(2) D'Amico, F.	1,528.96
Drury, D.	19,905.87
(2) Eisenberger, F.	1,528.96
(1) Formosi, V.	18,745.17
(1) Gallagher, J.	18,376.91
(1) Hinkley, B.	18,376.91
Jackson, T.	19,905.87
Kiss, M.	19,905.87
(1) Lombardo, F.	18,376.91
McCulloch, W.	19,905.87
Merling, H.	19,905.87
(2) Morelli, B.	1,528.96
Morrow, R.	63,698.34
(1) Murray, T.	18,376.91
Ross, D.	19,905.87
Wilson, D.	20,274.13

	382,928.78
	=====

(1) Term ended November 30, 1991

(2) Term began December 1, 1991

* One-third of these amounts deemed to be "Expenses" in accordance with
section 251 of the Municipal Act.

(b) Committee of Adjustment

Member -----	Honorarium -----
Dudzic, M.	2,100.00
Law, B.	2,100.00
Mandel, J.	2,100.00
Rocchi, F.	2,100.00
Woods, L. G.	2,600.00

	11,000.00
	=====

City of Hamilton
Treasury

STATEMENT OF THE TREASURER

(c) License Examining Board

Member	Honorarium
Allick, B.	2,100.00
Allison, H.	900.00
Clothier, R.	200.00
Cooper, H.	1,200.00
Gibson, D.	1,000.00
Green, R.	800.00
Groves, L.	1,100.00
Hewitt, C.	500.00
Holm, M.	900.00
Kaut, H.	1,100.00
Korz, G.	1,200.00
Langdon, D.	1,100.00
MacIntyre, D.	1,100.00
Skinner, J.	600.00
Taffs, R.	1,000.00
Walker, J.	1,000.00
Woodrow, B.	100.00
VanDerbeek, P.	1,200.00

	17,100.00
	=====

2. EXPENSES

(Residence telephone allowance, travelling - registration fee, per diem, accommodation, etc., plus local grant to Mayor)

(a) Members of Council	Amount
Agostino, D.	4,520.39
Agro, V. J.	541.46
Anderson, T.	13.46 **
Charters, R.	13.46 **
Cooke, T.	1,944.36
D'Amico, F.	13.46 **
Drury, D.	2,912.59
Eisenberger, F.	13.46 **
Formosi, V.	451.86
Gallagher, J.	148.01 **
Hinkley, B.	2,961.31
Jackson, T.	161.46 **
Kiss, M.	2,040.98
Lombardo, F.	148.01 **
McCulloch, W.	429.24
Merling, H.	161.46 **
Morelli, B.	13.46 **
Morrow, R.	24,673.68
Murray, T.	386.14
Ross, D.	1,136.26
Wilson, D.	161.46 **

City of Hamilton
Treasury

STATEMENT OF THE TREASURER

(b) Parking Authority Appointees

Adamson, T.	350.00
Alderman Agro, V. J.	1,884.35

	2,234.35
	=====

(c) Public Library Appointees

Church, L.	256.00
Diebel, P.	241.30
Johnson, D.	125.00
MacGillivray, M.	1,934.38
McCulloch, W.	1,846.41
Radigan, R.	292.00
Riley, M.	125.00
Rogers, P.	292.95
Syko, J.	125.00
Wilson, D.	125.00

	5,363.04
	=====

(d) H.E.C.F.I. Appointees

Kay, G.	1,151.60

	1,151.60
	=====

CITY OF HAMILTON
- INFORMATION -

G (i)

DATE: 1992 February 10

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

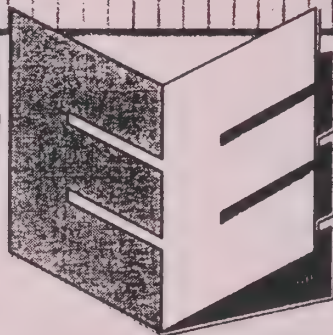
SUBJECT: Employment Equity Proposal: Government of Ontario
(C-015-092)

BACKGROUND:

The Government of Ontario is considering the implementation of Employment Equity legislation during 1992 and has been conducting hearings throughout the province including Hamilton. The attached copy of the Employment Equity Review gives a synopsis of the government's plans as put forward in its discussion paper. The Review is circulated for your information.


J. Johnston

Attach.



ONTARIO GOVERNMENT RELEASES DISCUSSION PAPER ON EMPLOYMENT EQUITY LEGISLATION

The Office of the Employment Equity Commissioner, Ontario Ministry of Citizenship, has released its Discussion Paper on Employment Equity Legislation. Here is the Executive Summary:

EXECUTIVE SUMMARY

In the Speech from the Throne in November 1990, the Government of Ontario promised to introduce employment equity legislation and to consult with the people of Ontario about the implementation of the legislation. In March 1991, the Government appointed the province's first Employment Equity Commissioner to conduct the consultations and to advise Government throughout the legislative process.

In fulfilling her mandate, the Commissioner will be

receiving and reviewing briefs and holding public meetings in communities throughout Ontario. In order to create, implement and enforce legislation that is fair, workable and practical, the input and co-operation of many employers, unions, designated group members and other interested persons is vital.

This paper provides a framework to facilitate consultation and is based on four major decisions made by this Government in moving towards employment equity. The four decisions are:

- ❶ Employment equity will be legislated;
- ❷ Employment equity legislation will designate four groups:
 - Aboriginal Peoples
 - Persons with disabilities

continued on page 82

DISCUSSION PAPER ON EMPLOYMENT EQUITY: OUR COMMENTS

The Ontario Government has made four critical decisions involving employment equity as outlined in The Discussion Paper on Employment Equity Legislation. They are:

- ❶ Employment Equity will be legislated.
- ❷ Employment Equity will cover

aboriginal peoples; persons with disabilities; racial minorities; women.

- ❸ Employer covered by the legislation will be in the private sector, the public sector and the broader public sector.
- ❹ Employment Equity will be

mandatory.

Here we summarize the alternative approaches the Ontario Government might take to implement its decisions:

❶ EMPLOYMENT EQUITY WILL BE LEGISLATED

THE EMPLOYMENT EQUITY PLAN
A workforce analysis and an employment systems review will both facilitate the development of an employment equity plan. A work-

continued on page 84



- Racial minorities
- Women

- ⑤ Employment equity will cover the public, broader public and private sectors;
- ① Employment equity will be mandatory.

The *Introduction* outlines the rationale for employment equity in the province, and includes an examination of:

- changing economic realities and a labour force which has to be able to respond effectively to these changes,
- profiles of designated groups,
- activities which have led up to the current consultation process,
- employment equity initiatives in other jurisdictions, and
- the Government's commitments in moving forward on employment equity.

The section *Employment Equity Issues for Consultation* identifies key implementation, enforcement and structural issues for discussion.

Recognizing that there is a range of approaches to the issues, the Government has suggested certain approaches on some issues to facilitate discussion at the present time. The final decision on the issues will be made after the completion of the consultation process.

THE FOUR GOVERNMENT DECISIONS ARE DISCUSSED UNDER THE FOLLOWING TOPICS:

- ① Employment Equity Will Be Legislated:

The Employment Equity Plan:

The plan as a tool to achieve employment equity goals; components which should be included in a plan such as numerical goals and timetables, measures to increase the participation of designated group members in the

workplace; the issue of submitting plans to the future Commission; the issue of establishing standards or guidelines for goals; which components should be made mandatory.

Collecting and Reporting Data:

The collecting and reporting data in order to measure change across time, location and organizations while keeping reporting requirements as minimal as possible; the kinds of data which could be collected; the issue of what data should be collected, how and how often it should be collected and reported; the issue of standardization and compatibility with other jurisdictions.

Participation of Workers in Employment Equity Planning:

The role of workers in developing, implementing, monitoring employment equity plans; different formats for participation in unionized workplaces including negotiation and consultation; the joint management-worker committee as a mechanism to facilitate participation of non-unionized workers in employment equity planning.

- ② Employment Equity Will Cover Four Designated Groups:

Employment Equity Measures:

Measures as tools to assist designated groups in achieving employment equity. Addressed are four types of measures: barrier elimination, job accommodation, positive measures, and supportive measures; how measures can respond to the different needs of designated group members, and address the persisting disadvantages of these groups; how measures can eliminate barriers to and in employment, remedy effects of past discrimination, and enhance the quality of the work environment to benefit all workers.

- ③ Employment Equity Will Cover Three Sectors:

Employers Covered By Employment Equity:

Coverage of employers in the public, broader public and private sectors in order to benefit as many workers possible; ways of determining which employers should be covered by the proposed legislation, including size and annual payroll; consideration of the individual circumstances of workplaces, including resources to implement employment equity.

- ④ Employment Equity Will Be Mandatory:

Compliance and Enforcement:

Different ways of ensuring compliance with the proposed legislation, the benefits/drawback of these approaches; consideration of the role of incentives and the use of sanctions.

The Timing of the Proposed Legislation:

Determining time-lines for compliance with the proposed legislation including: the need for immediate steps to correct discriminatory practices and their effects; the need for employers to have sufficient time to gather necessary information, prepare the climate of their establishments, adjust human resources systems and modify collective agreements where appropriate; the issue of accommodating for diverse resources and experiences of workplaces in implementing employment equity.

The Future Employment Equity Commission:

The importance of a strong and accessible and independent body that will consult, educate, monitor and enforce employment equity legislation; the roles of the Commission and its relationship with other equity-related government bodies and initiatives; the question of how to ensure participation by designated groups, employers, unions, interested parties, and advocacy groups in the work of the Commission.



A definition of employment equity, an outline of some current employment equity programs, some relevant legislation, and a participant reply form, are supplementary materials provided in the Appendices.

THE GOVERNMENT WOULD LIKE INPUT
ON THE FOLLOWING QUESTIONS:

The Employment Equity Plan

- » What should be in an employment equity plan?
- » Should components be mandatory? If so, which ones?
- » Should the Commission establish standards for each of the plan's components?
- » Should plans be submitted to the Commission? If so, why? If not, why not?

Collecting and Reporting Data

- » Should data collection and reporting be standardized and compatible with other jurisdictions?
- » How should data be gathered and reported?
- » What kind of workforce data should be collected?
- » How often should data be reported?
- » How can "paper work" be reduced to a minimum and still allow effective monitoring and evaluation?
- » What definition(s) do you prefer for the designated group(s)?

In addition, for designated group members:

- » In what way would you prefer to be identified as a member of a designated group: self-identification, identification by another (supervisor), or a combination of both? Based on your preference, what supports should be in place to implement this method?
- » What is your opinion on the further breakdown of

designated groups by sub-categories?

Workers' Participation in Employment Equity Planning

- » Should joint employment equity committees be formed?
- » What should be the relationship between collective bargaining and employment equity?
- » How will employment equity planning take place in workplaces with multiple bargaining units?
- » What kind of mechanism should be in place to respond to a failure to negotiate an employment equity plan?
- » How can non-unionized workers best participate in developing, implementing and monitoring the employment equity plan?
- » What resources would be needed for non-unionized workers?

Employment Equity Measures

- » What successes and difficulties have you experienced in implementing or benefitting from barrier elimination measures, job accommodation measures, positive measures, and supportive measures?
- » What kinds of educational processes and resources would be required to implement these measures?
- » What government services in education, employment and training are needed to support employment equity?
- » How can employment-related services and employment equity initiatives be co-ordinated?

In addition, for designated group members:

- » What are your priorities for:
 - barrier elimination measures
 - job accommodation measures
 - positive measures
 - supportive measures

Employers Covered by Employment Equity Legislation

- » Which employers in the public sector, broader public sector and private sector should be covered by the proposed legislation?
- » Should there be modified requirements for smaller businesses? If so, what should they be?
- » Should coverage be based on the number of workers (size of employer) or on the size of payroll?

Compliance and Enforcement

- » What approaches should be taken in enforcing the proposed legislation?
- » What incentives should be used to encourage compliance with employment equity legislation?
- » What sanctions and remedies should be used to ensure compliance, or to address specific violations of the legislation?
- » What body should ensure compliance and impose remedies? Should a specialized tribunal be established? What procedures should be involved? What powers should the body have? Should the courts have a role?

The Timing of the Proposed Legislation

- » What time-lines should be set for compliance with the proposed legislation?
- » Should there be a phase-in period?

The Future Employment Equity Commission

- » What is an effective structure to implement legislated employment equity?
- » What kind of relationship should the future Commission have with other equity-related government bodies and initiatives?



- » How would designated groups, advocacy groups and interested parties participate in the work of the Commission?

Full discussion of these and

related issues can contribute to a greater understanding of employment equity and its benefits for designated groups, workers, unions, business, and the economy of our province. More importantly,

consultations can promote dialogue and co-operation between the Government and the people of Ontario.

... OUR COMMENTS

continued from front page

force analysis examines the current situation of all workers in an organization with special reference to designated groups, and it's usually based on internal data on occupation level, salary, employment status, age, gender, race, disability status. An employment systems review is intended to identify for removal, both formal and informal employment practices which are discriminatory. This information allows workplaces to set numerical goals and timetables to increase the participation of designated group members.

An employment equity plan usually includes:

- Numerical goals and timetables.
- Barrier elimination measures; job accommodation measures; positive measures; and supportive measures.
- Education and communications.
- Evaluation and accountability.

The Government's suggested approach for consultation would make the following items mandatory:

- To conduct a workforce analysis and an employment systems review.
- To establish, according to standards fixed by the Commission, numerical goals and timetables for hiring and promotion, in order to increase the participation of designated group members in those areas where under representation and/or under-utilization exists.
- To determine, according to guide-

lines adopted by the Commission, how to achieve goals for barrier elimination measures, job accommodation measures, positive measures, and supportive measures.

- To establish an evaluation and accountability mechanism.

In suggesting that numerical goals and timetables would be established according to standards fixed by the Commission, the Government is suggesting that numerical goals for employers will not be imposed on employers by the Commission. On the other hand, the suggested approach is stronger than allowing employers to set their own numerical goals, either on their own, or in accordance with voluntary guidelines.

The proposal for the establishment of fixed standards refers to an approach where there are mandated requirements which are: specific in nature; binding on all parties; and setting out a minimum acceptable course of action.

COLLECTING AND REPORTING DATA

Collecting numerical and qualitative information on a given workplace allows:

- The assessment of under-representation or under utilization of the designated groups prior to developing an employment equity plan. This would allow workplaces to set goals and to monitor progress in implementing plans.
- The Commission to monitor the progress in achieving equitable

representation. The data must be able to measure change across time, locations, and organizations for evaluation purposes.

Basic numerical data often includes information on hiring, promotion, termination, salaries and occupational categories, in relation to full-time, part-time, temporary and seasonal work. Basic qualitative data describe the quality of systems, processes, and measures related to:

- Employment barriers for designated groups.
- Initiatives and measures to remove barriers.
- Economic and other factors specific to the workplace.

The Government has suggested two possible approaches for collecting and reporting data.

The first approach is:

- The Commission should provide workplaces with a list of data requirements and formats for collecting and reporting, some of which are compatible with other jurisdictions. Workplaces may choose the ones which suit them most.

The second approach is:

- The Commission should specify the data requirements and standardize the process of collecting and reporting. The Commission should make efforts to ensure that data requirements and processes are compatible with those used by other jurisdictions, and that the paperwork demands on employers are given the need for effective monitoring and evaluation.



WORKERS' PARTICIPATION IN EMPLOYMENT EQUITY PLANNING

The Government's suggested approach for consultation would include the following:

- In unionized workplaces, the proposed legislation should require employers and unions to negotiate the development of the employment equity plan. Consistent with the proposed legislation, employers would negotiate with the unions in:
 - Conducting a workforce analysis and an employment systems review.
 - Establishing, according to standards fixed by the Commission, numerical goals and timetables for hiring, promotion, in order to increase the participation of designated group members in those areas where under-representation and/or under utilization exists.
 - Determining, according to guidelines adopted by the Commission, how to achieve goals for barrier elimination measures, job accommodation measures, positive measures, supportive measures.
 - Establishing an evaluation and accountability mechanism.
- Employers and unions would be responsible for implementing and monitoring the plans and they would be accountable for the results achieved, according to their respective roles in the workplace.
- Acquired seniority rights on lay-off and recall would be protected. New forms of entry and movement into and between bargaining units would be negotiated.
- Where the plan is negotiated outside of the collective agreement, a mechanism would be established to allow employers or unions to seek mediation or arbitration of disputes relating to the content of the plan.
- For non-bargaining unit workers in

unionized workplaces, employers would be responsible for including their participation in developing the employment equity plans.

- For non-unionized workplaces, employers would be required to develop the employment equity plan after consultation with a joint management-worker committee. Guidelines for the committee would be developed by the Commission.
- Advocacy services for workers would be established within the Commission.

In suggesting this approach, the Government is recommending against approaches in which employers in unionized workplaces would be fully responsible for the development and implementation of the plan. Not only does the Government's suggested approach call for joint responsibility through the process of negotiating the development of the employment equity plan, employers and unions would also be responsible for implementing and monitoring the plans. Both parties would be accountable for the results achieved, according to their respective roles in the workplace.

② EMPLOYMENT EQUITY WILL COVER FOUR DESIGNATED GROUPS

Four designated groups will be covered by employment equity legislation—Aboriginal Peoples, persons with disabilities, racial minorities and women because these groups face long standing economic and employment disadvantages. The economic and employment disadvantages experienced by these groups may be very different. In some cases, the challenge is to get them into the workforce. In other cases, the challenge is to overcome limited opportunities for advancement and low wages. In still other cases, issues or problems may be related to: access to training; adequate and fair assessment of prior learning and working experience including recognition of foreign creden-

tials; and fair promotion opportunities and policies.

These diverse needs require different types of employment equity measures as responses.

EMPLOYMENT EQUITY MEASURES

Four types of measures can be included in an employment equity plan:

- Barrier elimination measures.
- Job accommodation measures.
- Positive measures.
- Supportive measures.

③ EMPLOYMENT EQUITY WILL COVER THREE SECTORS

EMPLOYERS COVERED BY EMPLOYMENT EQUITY LEGISLATION

The proposed employment equity legislation will cover three sectors:

- (1) The public sector, including the Ontario Public Service.
- (2) The broader public sector, which includes: hospitals, school boards, colleges and universities, municipalities, crown corporations, public authorities such as housing authorities and conservation authorities, as well as organizations providing human services which are wholly or partially funded by the provincial government.
- (3) The private sector.

The Government has suggested four possible approaches for employers covered by proposed employment equity legislation:

The first approach is:

- All public and broader public sector employers, and employers in the private sector with 100 or more workers would be subject to full coverage. Employers with fewer than 100 workers would be exempted from the proposed legislation.

The second approach is:

- All public and broader public sector employers, and employers in the private sector with 50 or



more workers would be subject to full coverage. Employers with fewer than 50 workers would be exempted from the proposed legislation.

The third approach is:

- All public and broader public sector employers, and employers in the private sector with 10 or more workers would be subject to full coverage. Employers with fewer than 10 workers would be exempted from the proposed legislation.

The fourth approach is:

- All public and broader public sector employers, and employers in the private sector with 50 or more workers would be subject to full coverage. Employers with 10-49 workers would be covered by the proposed legislation but with modified requirements.

❶ EMPLOYMENT EQUITY WILL BE MANDATORY

COMPLIANCE AND ENFORCEMENT

The Government has suggested three possible approaches for compliance and enforcement:

The first approach is:

- Incentives would be provided to facilitate compliance.
- The Commission would only audit those workplaces with complaints filed against them by individual workers, members of designated groups or other interested parties.
- Workplaces would be evaluated based on the adequacy of their plans and whether goals have been achieved, and whether measures put in place to achieve goals are adequate. Standards of evaluation could be contained in a regulation.
- Initially, the Commission would seek to achieve compliance through means other than sanctions. If this approach were unsuccessful, sanctions would be imposed.

The second approach is:

- Incentives would be provided to facilitate compliance.
- The legislation would establish a proactive mechanism for monitoring compliance. The Commission would undertake random and selective sectoral and/or geographic audits of workplaces to ensure compliance.
- Workplaces would be evaluated based on the adequacy of their plans and whether goals have been achieved, and whether measures put in place to achieve goals are adequate. Standards of evaluation could be contained in a regulation.
- Initially, the Commission would seek to achieve compliance through means other than sanctions. If this approach were unsuccessful, within a set time limit, sanctions would be imposed.

The third approach is:

- Incentives would be provided to facilitate compliance.
- The legislation would establish a combined mechanism for monitoring and enforcement. The Commission would undertake selective audits of workplaces to ensure compliance, including sectoral and geographic audits. Selective audits would be based on set criteria, the evaluation of results, and the Commission could have the discretion to investigate complaints filed by individuals or third parties.
- Individuals or third parties could have the right to bring complaints directly to an administrative tribunal.
- Workplaces would be evaluated based on the adequacy of their plans and whether goals have been achieved, and whether measures put in place to achieve goals are adequate. Standards of evaluation could be contained in a regulation.
- The Commission would have the power to issue orders for compliance; failure to comply within a stated time would incur sanctions.

THE TIMING OF THE PROPOSED LEGISLATION

Possible approaches for the timing of the proposed legislation include:

The first approach is:

After the passage of the proposed legislation:

- All employers in the three sectors (public, broader public, and private) should be given one year for preparing their workforce analysis and employment equity plans.
- All employers covered by the proposed legislation should submit the first results of their employment equity initiatives, both quantitative and qualitative, one year after the preparation of their plans and every subsequent year.

The second approach is: After the passage of the proposed employment equity legislation:

- All employers in the public and broader public sectors and large employers in the private sector with more than 500 workers should have one year for preparing their workforce analysis and employment equity plans.
- All employers in the private sector with less than 500 workers should have one year for preparing their workforce analysis, and should have a second year to prepare their employment equity plans.
- All employers covered by the proposed legislation should submit the first results of their employment equity initiatives, both quantitative and qualitative, one year after the preparation of their plans and every subsequent year.

The third approach is:

After the passage of the proposed employment equity legislation:

- All employers in the public, broader public and private sectors with more than 500 workers should have one year for preparing their workforce analysis and employment equity plans.
- All employers in the broader public and private sectors with less than



500 workers should have one year for preparing their workforce analysis, and should have a second year to prepare their employment equity plans.

- All employers covered by the proposed legislation should submit the first results of their employment equity initiatives, both quantitative and qualitative, one year after the preparation of their plans and every subsequent year.

THE FUTURE EMPLOYMENT EQUITY COMMISSION

The Government has suggested

one possible approach for the future Employment Equity Commission:

- The roles of the Commission could include:

- Policy development and research.
- Consultative, educational and technical services.
- Compliance and enforcement functions.
- Providing advocacy services.

- The Commission could maintain and develop effective linkages with Government ministries and agencies whose mandates are to

promote equality or monitor matters related to employment, or deal with issues specific to designated groups.

- The structure of the Commission could be an independent Commission reporting through a Minister to the Legislature. The Commission could have a Chief Commissioner responsible for administering the Act. An independent tribunal/board could be established.
- An advisory council comprised of members of designated groups could be established. ■

EMPLOYMENT EQUITY RECRUITMENT SYSTEMS

The 1991 Annual Report on Employment Equity tabled in Parliament contains a chapter highlighting the strategies that federally regulated employers are following to implement their employment equity programs.

Here is what the Report says about recruitment systems.

RECRUITMENT SYSTEMS

Employers report that outreach recruitment activities have been one of the most significant strategies for reaching and attracting members of designated groups. Several employers have attributed the hiring of designated group members to direct referrals from community organizations and agencies representing designated groups. These referrals have occurred as a result of efforts to strengthen and build on established relationships.

Many employers have organized pre-employment courses and information interviews in an effort to broaden recruitment and attract candidates from designated groups. One employer, in transportation, developed sample test books for job

applicants so they could become familiar with tests pertinent to the industry. Other employers developed pamphlets and brochures on interviewing techniques. Another employer in the communications industry conducted information sessions specifically for designated group candidates. This employer provided information about the organization and jobs within the company and provided counselling on resumés, interviews and careers. This employer reported that four persons with disabilities and one aboriginal person had been hired as a result of the 36 information interviews which were part of this initiative.

One employer in the mining industry developed pre-employment courses in conjunction with an educational institution and with support from Employment and Immigration Canada. This course was designed to assist Saskatchewan northerners of aboriginal descent to qualify for entry level jobs in the employer's northern operations. Graduates of the program are being offered employment as vacancies occur.

Employers report that outreach recruitment activities have been one of the most significant strategies for reaching and attracting members of designated groups.

Most employers reported their continued participation in several recruitment-oriented activities at job fairs and career days in educational institutions at all levels. These efforts included making presentations in schools to encourage designated groups to pursue studies in industry-related fields and attending seminars and conferences on recruitment and employment equity. To increase the visibility of their recruitment activities, an employer in the communications industry produced a recruitment video to be shown in universities and colleges. These activities took place at the local, regional and national levels.



Because many jobs require specified educational levels, one employer developed an interesting approach to attract future employees:

- ♦ In conjunction with an educational institution and several Boards of Education, one employer in the communications industry participated in a one-week summer "Engineering Camp" for female grade 11 students where they were provided with hands on experiments in engineering. The employer saw this as a long term initiative and future plans include investing time at the curriculum level. A similar program at the elementary school level is also planned.

To increase the success rate of designated group applicants, employers have continued to participate in various internship programs. Several of these employers reported the significance of building partnerships with university and college institutions and other stakeholders in an effort to develop internship and work placement programs. For example:

- ♦ The major banks participated in a four-month bridging program focusing on native employment. The program provided students with combined classroom and specialized customer service and teller skills training. One bank reported hiring four aboriginal persons from this program.
- ♦ Some employers in the telecommunications industry developed a partnership with an association representing native business. A one-year, cost-shared program provided work

experience and developed additional skills for the participants. Although in one case a student left to pursue another field of study, these employers found the program to be a positive experience. They reported to have learned a great deal about the difficulties faced by native people with regard to seeking and retaining employment.

To increase the success rate of designated group applicants, employers have continued to participate in various internship programs.

- ♦ One employer, in broadcasting, formed a partnership with a national non-profit organization dedicated to training people with physical disabilities to enter the labour force. The employer will continue to provide these people with opportunities for work experience.
- ♦ In conjunction with a municipal school board, one employer in the industrial chemical industry provided a cooperative employment program for five students with mental disabilities. The program was held throughout the school year and in the summer.
- ♦ Another employer, in broadcasting, started a radio

apprenticeship program for black Nova Scotians to assist them in becoming qualified radio broadcasting professionals. This employer provides tuition, summer employment and guarantees students employment when they successfully complete the program.

- ♦ In support of aboriginal employment, one Crown corporation in water transportation has reported that a tripartite committee has been established with two Band Councils to bring more aboriginal people into the company's workforce.
- ♦ One employer, in broadcasting, is developing a program in conjunction with a post-secondary educational institution to train qualified disabled persons to work in the fields of broadcasting and journalism.

The efforts of some employers in the area of recruitment have been recognized and publicly acknowledged. For example, in 1990, CN placed second in FRAPPE's (les Femmes regroupées pour l'accessibilité aux pouvoirs politique et l'économique) annual review of policies and actions undertaken to hire and promote women. As well, they received an award from ManMark Consultants for the "pioneering creativity" they put into hiring and integrating minorities. The Royal Bank received the Whipper Watson Award, from the Canadian Rehabilitation Council for the Disabled, for their efforts to hire and integrate people with disabilities into their workforce.

THE EMPLOYMENT EQUITY REVIEW ©

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CITY OF HAMILTON
- RECOMMENDATION -

G(ii)

DATE: 1992 February 12 FEB 13 1992

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

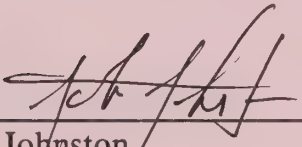
FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Salary Classification - Administrative Co-ordinator
(Cemeteries) Department of Public Works (C-016-092)

RECOMMENDATION:

That the following salary classification be approved:

<u>POSITION TITLE</u>	<u>FUNCTION</u>	<u>GRADE</u>	<u>SALARY</u>
Administrative Co-ordinator (Cemeteries) (formerly Administrative Assistant III)	Co-ordinates the arrangement of and payment for burials and disinterments. Provides administrative support to the Manager, Cemeteries Division.	O	\$34,001.76 - \$39,962.52 per annum



J. Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The salary for this position will be met by the current operating budget of the Public Works Department. There will be no change in current staff complement.

BACKGROUND:

As a result of rightsizing, the management responsibilities associated with the administration and operation of the Cemeteries Division of Public Works has been revised. This change in organizational structure has also altered the responsibilities of the Administrative Assistant III position. This position will co-ordinate the arrangement of and payment for burials and disinterments in addition to its' existing administrative support responsibilities to the Manager, Cemeteries Division. It has also been recommended that the title be modified to Administrative Co-ordinator (Cemeteries) to better reflect the scope and responsibility of the position. They have referred the position to the Human Resources Centre for salary classification and subsequent approval of the Finance and Administration Committee.

CITY OF HAMILTON
- RECOMMENDATION -

G(iii)

DATE: 1992 February 12

FEB 13 1992

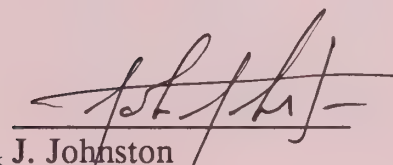
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Appointments To and Terminations From Permanent
Positions with the Corporation of the City of Hamilton
(C-017-092)

RECOMMENDATION:

That the attached listing of Appointments To and Terminations From Permanent positions with the Corporation to February 10, 1992 be approved.


J. Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

n/a

BACKGROUND:

Attached.

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. John Walker	Building Inspector	Building	Deceased	29 years, 5 months	16/01/92

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Robert Aldridge	Foreman III (Districts) (13-C)	Public Works	Replacing Mr. C. Gibbs - promoted	\$32,886.88 to \$37,768.12	15/07/91
Mr. George Almas	District Chief (G-11)	Fire	Replacing Mr. R. Kerr - retired	\$62,439.74	26/01/92
Mr. Roodal Bagasar	Hydraulic Backhoe Operator (D-16C)	Public Works	Replacing Mr. R. Aldridge - promotion	\$31,832.32 to \$32,248.32	15/07/91
Mr. Gary Beasley	Captain (C-8)	Fire	Replacing Mr. A. Vandenakker - promotion	\$57,553.17	26/01/92
Mr. Roy Cooper	Traffic Signal Repairman II (18C)	Traffic	Replacing Mr. St. John - promotion	\$31,455.84 to \$36,483.20	01/10/92
Ms. G. Gayle Fawcett	Stenographer II (9-C)	Building	Replacing Ms. J. Currie - retired	\$25,432.68 to \$27,458.60	06/01/92
Mr. Keith Francis	Lieutenant (G-7)	Fire	Replacing Mr. Diferico - retirement	\$53,105.63	26/01/92
Mr. Jim Gubbins	Traffic Services Prosecutor (N-2)	Traffic	New Position - Council Approved June 25, 1991	\$35,994.92 to \$42,446.56	06/01/92
Mr. Brian Keenan	Motor Mechanic (T2A)	Fleet Services	Replacing Mr. Estravillo - promotion	\$38,274.08	09/12/91

Prepared 10/02/92

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Randy Knowles	Lieutenant (C-7)	Fire	Replacing Mr. Laughlin - retirement	\$53,105.63	26/01/92
Mr. Michael Langille	Supervisor of Cleaners II (O)	Property	Replacing Mr. J. Orford - retirement	\$31,747.56 to \$37,313.12	01/01/92
Mr. Darryl Lee	Freedom of Information Officer (O)	City Clerk's	New Position - Council Approved October 29, 1991	\$34,001.76 to \$39,972.52	27/01/92
Mr. Danny Mazzocato	Street Sweeper Operator (DI4D)	Public Works	Replacing Mr. Van Veen - transfer to Region	\$31,245.76	13/01/92
Mr. John McShane	Foreman II (Sanitation) (12-C)	Public Works	Replacing Mr. H. Cooper - retirement	\$34,232.64 to \$40,881.36	20/01/92
Mr. Dan Milovanovic	Lieutenant (C-7)	Fire	Replacing Mr. Graham - retirement	\$53,105.63	26/01/92
Mr. Daniel Moon	Labourer (Landscape Technician -D-16C)	Public Works	Replacing Mr. R. Harkness - promotion	\$34,444.80	06/01/92
Mr. Robert Shakeshaft	Traffic Services Prosecutor (N-2)	Traffic	New Position - Council Approved June 25, 1991	\$35,994.92 to \$42,446.56	06/01/92
Mr. Steve Smith	Probationary Communications Operator (N-1)	Fire	Replacing Mr. D. Pothier - transferred	\$34,361.30	08/01/92

Prepared 10/02/92

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Stanley Taylor	Foreman III (Districts) (13-C)	Public Works	Replacing Mr. A. Mancini - promoted	\$32,886.88 to \$37,768.12	01/07/91
Martin White	Shop Superintendent (J-2)	Traffic	Replacing Mr. A. Cochrane - retirement	\$53,779.96 to \$63,398.40	27/01/92
James Winn	Assistant Chief Fire Prevention Officer (C-9A)	Fire	Replacing Mr. D.L. Peters - promoted	\$58,472.40	12/01/92

3

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 February 13

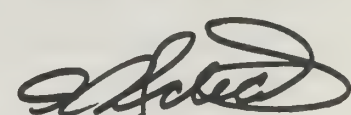
REPORT TO: Mr. J. Thompson
Secretary, Finance and Administration Committee

FROM: Mr. J. J. Schatz
City Clerk

SUBJECT: Draft By-law to Regulate the Sale of Tobacco To Minors

RECOMMENDATION:

That the attached Draft By-law to Regulate the Sale of Tobacco to Minors be enacted.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Additional inspections, relative to these regulations, will proportionately reduce or delay inspections in other areas.

Hamilton-Wentworth Regional Police Officials have advised that enforcement of this By-law will be handled in a similar fashion as the Retail Business Holidays Act and that Police will support the educational component by incorporating this within their community-based policing initiatives.

BACKGROUND:

This issue dates from October 30, 1990 when City Council authorized the City Solicitor to prepare a Draft By-law to regulate the sale of tobacco products to minors. At the same time, City Council also authorized the preparation of a new Smoking in Public Places By-law.

The holding of Public Meetings to receive input on both Draft By-laws was also approved. The Smoking in Public Places By-law was dealt with first and a new By-law was enacted and implemented on January 1, 1992.

On October 10, 1992, a Public Meeting was held under the auspices of the Finance and Administration Committee to receive submissions from the general public on a Draft By-law to licence and regulate tobacco shops.

Staff were then directed to review all submissions and prepare a report to be submitted to the Committee for consideration and recommendation.

The matter has now been reviewed and the following points are noted:

On April 2, 1990, the Hamilton-Wentworth Interagency Committee on Smoking and Health requested that the Finance and Administration Committee give consideration to regulations respecting the sale of tobacco to minors.

On October 24, 1990, the Medical Officer of Health advised the Finance and Administration Committee that she endorsed the regulatory efforts being proposed by the City of Hamilton to control the sale of tobacco to minors.

At the Public Meeting held on October 10, 1991, a number of persons and agencies urged that a public awareness and educational programs, along with regulations, should be put in place.

A few, mainly store owners who sold tobacco products, expressed concern about onerous licensing requirements and the policing that would be necessary with new regulations.

The submissions indicated that increased awareness of the laws respecting minors and tobacco sales was necessary by both the general public and store owners. It was also felt that conspicuous signs setting out the current laws and regulations may have a positive effect. Putting a Regulatory By-law in place would, in our view, address these issues.

It is, therefore, proposed that a Regulatory By-law which contains regulations without licensing requirements be approved at this time. The By-law would require:

- (a) A requirement for conspicuously placed signs in stores, shops and locations containing vending machines, with Reference to persons under 18 years of age requiring written permission of a parent or guardian to purchase tobacco products pursuant to the provisions of the Minors' Protection Act (Ontario).
- (b) Reference to employers being responsible for non-compliance and education of employees.
- (c) Reference to a penalty section with a maximum fine of \$5,000.00.

Licensing requirements are not felt necessary at this time because both by-laws (Regulatory or Licensing and Regulatory) from an enforcement point of view are the same. Breaches

of provisions of the by-law could result in fines to a maximum of \$5,000.00. Licensing would give the City the additional power to take away a vendor's right to sell tobacco products should a breach of the provisions of the by-law occur. It would, however, result in administration costs of \$35.00 for each licence. There would be increased costs for enforcement and as well as a cost to store owners for the actual licence. We estimate that there are approximately 1200 locations which would be affected.

The laws which govern the sale of tobacco products to minors are Provincial and Federal Legislation. The City cannot ensure compliance or enforce these laws, but complaints can be made to the Police. They will be supporting the educational efforts of the City by incorporating education in community-based policing initiatives.

It should be pointed out that any regulation which may be approved by the City only applies to shops and stores. Other locations, which have vending machines, may not be covered by the by-law.

It is proposed that the City produce and sell the required signs. Enforcement of the placement of signs and the location of vending machines (within stores and shops) would be handled by our Licence Inspectors and the Smoking Control Officer. All other aspects of the regulations would be referred to the Police Authorities.

We view the proposed program of regulation as being similar to the Smoking In Public Places and Workplace Programs and would respectfully suggest that the matter of transfer of the Smoking Programs to the Regional Health Authorities be taken into consideration in your Committee's deliberations.

The Corporation of the City of Hamilton

BY-LAW NO. 92-

RETAIL STORES SELLING TOBACCO, CIGARS OR CIGARETTES

WHEREAS Paragraph 2 of Section 235 of the Municipal Act, R.S.O. 1990, c. M.45, provides that by-laws may be passed to regulate keepers of stores and shops where tobacco, cigars or cigarettes are sold by retail;

AND WHEREAS Schedule 20 of The City of Hamilton Licensing Code, providing for the licensing of tobacconists, was carried forward in the 1979 By-law consolidation through error, which schedule had been approved for repeal at the end of 1979;

AND WHEREAS it is considered desirable and expedient to remove the said license provisions and to create regulations governing the keepers of stores and shops where tobacco, cigars or cigarettes are sold by retail and at which minors may seek to purchase those products;

AND WHEREAS the Minors' Protection Act of Ontario, The Tobacco Products Control Act, and The Tobacco Restraint Act of Canada prohibit and regulate the sale to and use of tobacco products by minors, and information on these controls at the point of sale would be helpful to retailers and beneficial to the health of minors who might otherwise seek to purchase tobacco;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1.(1) Every keeper of any store, where tobacco, cigars or cigarettes are offered for sale by retail, shall:

(a) display at all times a sign, as shown in Form 1 set out in Appendix "A" hereto annexed which appendix is included in and forms a part of this By-law, on or immediately next to each till or cash register where customers may purchase or pay for any tobacco, cigars or cigarettes;

(b) display the sign required in paragraph (a) so that the contents are in plain view to customers approaching the till or cash register, and containing only the prescribed message, in English, and written in black characters on a background of white;

(c) require employees of the store to have read the sign required in paragraph (a), prior to commencing employment at the store involving the sale of cigarettes, cigars or tobacco, and instruct employees to bring the removal or defacement of the required signs to the immediate attention of the keeper thereof;

(d) replace with a new sign as required in paragraph (a), any sign which has been removed or destroyed, or where the prescribed message or part thereof has been defaced; and

(e) use for the required signs the signs available from the City or substitute a sign of equal or greater overall size and letter size and otherwise complying with the requirements of this By-law.

(2) Where any tobacco, cigars or cigarettes are dispensed from a vending machine in a store, the keeper of the store shall:

(a) display a sign, in the form and content required in paragraphs (1)(a) and (1)(b), on top of or on the front of each machine so that the contents are in plain view to customers operating the machine, and the keeper shall otherwise comply with the requirements of subsection (1); and

(b) locate each machine within the view of the keeper or employee thereof, while at a till or cash register in the store, so that persons using the vending machine are in plain view and so the keeper or employee of the

store can verify the placement and existence of the signs required in paragraph (a).

(3) Nothing in this By-law shall prevent the keeper of a store, or an employee thereof, from refusing service to anyone seeking to purchase tobacco, cigars or cigarettes, or from posting a sign to that effect, in addition to the signs required by subsections (1) and (2).

(4) In addition to the signs required by subsections (1) and (2), the keeper of a store may display like signs in any language suitable for customers.

(5) For the purposes of this By-law, the following definitions apply:

(a) "keeper" shall mean a person responsible for the care and management of a store selling tobacco, cigars or cigarettes, and shall include the owner and operator of the store; and

(b) "store" shall include any building, booth, or stall, or a portion thereof where goods are exposed for sale by retail, and shall include a shop.

2. This By-law shall be deemed not to prevent the keeper of a store or an employee thereof, from complying with applicable laws or an order of the court respecting the removal or control of vending machines made under the Tobacco Restraint Act, R.S.C. 1985, Chapter T-12, as amended, and to the extent of any conflict with the law or such order the provisions of this By-law are deemed not to apply.

3. Every person who contravenes any provision of this By-law, and every director and officer of a corporation who concurs in the contravention by the corporation, is guilty of an offence, and upon conviction is subject to a fine not exceeding \$5,000.00, in addition to the costs of prosecution.

4. Schedule 20 respecting tobacconists, to City of Hamilton By-law No. 79-323, being The City of Hamilton Licensing Code, 1979, is repealed.

5. This by-law comes into force and effect on April 15, 1992.

PASSED this day of A.D. 1992.

City Clerk

Mayor

(1992)

APPENDIX "A" : FORM 1 To By-law 92-

The sale of tobacco, cigars and cigarettes to persons under 18 years of age is limited by Federal and Provincial laws, which provide:

Persons under 16 years of age will not be sold cigarettes or cigarette papers.

Persons under 18 years of age may not purchase cigarettes, cigars or tobacco for their own use.

Persons being 16 or 17 years of age must supply the written permission of a parent or guardian to purchase cigarettes, cigars or tobacco.

PROOF OF AGE MAY BE REQUIRED

4

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 February 13

REPORT TO: Mr. J.D. Thompson
Secretary, Finance & Administration Committee

FROM: Mrs. S. Glover
Secretary, City of Hamilton Licensing Committee

SUBJECT: Break-Open Tickets (Nevada)

RECOMMENDATION:

(a) That the Licensing Committee of the City of Hamilton, be authorized to issue municipal licences for the sale of break open tickets for a 6-month trial period, notwithstanding the Lotteries By-law, based on the exemptions provided in the letter, dated March 6th, 1987 and directed to municipal councils, from the Minister responsible for charitable gaming, so long as those exemptions continue to exist, and upon the following conditions:

(i) Except for Provincial Terms and Conditions 3, 4b, and 17b mentioned in the Minister's letter, that applicants for licences comply with all applicable laws and provisions of the Lotteries By-law.

(ii) That licence applicants, requesting exemption to Terms and Conditions 3, 4(b) and 17(b) as part of their application:

(a) file proof satisfactory to the Licensing Committee that the applicant either does not own or regularly occupy premises, or that the premises owned or occupied are impractical for the sale of tickets;

(b) file the signed written consent of the owner or occupier of the premises to be used for the sale of tickets, allowing the sale of tickets for the term of the licence;

(c) file the account number, bank name and branch of the lottery account, and the full names and home addresses of signing officers for the account, specifying whether withdrawals may be made on their signature alone, or with the signatures of other officers;

(d) file a statutory declaration of the applicant, on the form provided by the

Licence Division, specifying that no direct or indirect payment is or will be made for the use of premises, property and services involved in the sale of tickets, or otherwise, to the owner or occupier of the premises from which tickets will be sold;

(e) file the statutory declaration of the owner or occupier of the premises from which tickets will be sold, on the form provided by the Licence Division, that no direct or indirect payment has been made, requested or promised from the licence applicant for the use of premises, property and services involved in the sale of tickets, or otherwise, and that no deduction will be made from the proceeds of the lottery when turning over such proceeds to the licence holder, save for cash prizes paid out to winners;

(f) file the signed written approval of the designated member in charge, that they have reviewed the security for tickets and money, and the requirements for the sale of tickets with the owner or occupier of the premises to be used, and have found them satisfactory and responsible;

(g) file sufficient information to allow the Licensing Committee to identify the location for sale of tickets, the placement of the container holding tickets while it is being used for ticket sales, and for the Licensing Committee to approve the location and placement as suitable for the sale of tickets based on security and appropriateness for a lottery.

(iii) That the licence holder file the signed written right of access of the manufacturer and distributor of the tickets to be sold, prior to the sale of any tickets.

(iv) That, in addition to their regular duties, the person or persons designated to be in charge of the lottery undertake to, on a weekly basis:

(a) attend at the commercial or third party location authorized, to pick up the receipts from boxes of tickets sold, and make a record of a reconciliation of the inventory of tickets, and the receipts, with boxes of tickets sold (for this purpose the seller shall not have more than one box of tickets in the jar for sale at any one time);

(b) make an immediate deposit of the receipts obtained under (a);

(c) review the measures being made for the security for tickets and money from the lottery, and take any necessary steps to ensure the receipts from the lottery are obtained and can be applied to the charitable objects listed in the licence.

(v) That, in addition to their regular duties, the person or persons designated to be in charge of the lottery shall undertake to:

(a) produce to the Licence Division, on a monthly basis, the updated bank book for the lottery account, and copies of the reconciliations from (iv)(a) above for the previous month, and cheques for any withdrawals from the account with the reason for the withdrawal noted thereon, and information on the number and location of all boxes of tickets;

(b) advise the police and the Licence Division of the City, immediately upon the discovery of any shortfall of money or tickets by reason of suspected loss or theft;

(c) maintain records of the reconciliations for at least four years after the licence has expired.

(vi) To ensure the separation of funds, not more than 1 licence shall be issued for a location at one time, and for the purposes of clarity, a location shall be deemed to be the entire commercial or third party location under the control of the owner or occupier.

(vii) That as part of the approval process, a licence inspector be designated to attend at the premises to be used for sales, to review with the owner or occupier, the relationship with the licence holder, the applicable terms and conditions, the declaration which has been provided by the owner or occupier, and to assist with questions on the required method of selling tickets.

(viii) That no person or organization shall receive any remuneration for selling tickets.

(ix) That if any terms and conditions are violated, the licence be recommended for suspension or revocation.

(b) That the Licence Division report back to the Licensing Committee following the 6-month Trial Period, with the results of the trial licences issued within that period, and make recommendations on the success of the trial and any proposed amendments to the lotteries by-law.

Stella Glover

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Financial - Unknown

Staffing - Licence Division Inspections will be incorporated in the current program, without planned increases.

Legal Implications: The Ministry of Consumer and Commercial Relations has confirmed that the Minister's letter is still in effect and that the use of the letter to approve sale of tickets from commercial or third party locations is authorized and widespread throughout the Province.

Only six applications are being processed at this time. It is expected that this number will increase significantly once charitable and religious organizations become aware of the program. Figures will be submitted as they become available.

BACKGROUND:

At their meeting of 1992 February 12, the City of Hamilton Licensing Committee considered the following and made the foregoing recommendation:

In June of 1991, the Licensing Committee and City Council authorized a 6-month probationary licensing scheme for the sale of break-open tickets from commercial or third party locations to two charitable organizations. Because of concern over the sale of tickets by non-members from these commercial locations, a special set of Terms and Conditions were put in place to address Police and Licence Division concerns. From both the City's and charities' perspective, the program was successful.

Following a complete review of the two organizations and in consultation with the Police, Law Department, Charities and Licence Division representatives, it is now proposed that the program be expanded, without limitation on the number of licences or the type of location, as long as all conditions are met.

This would enable any religious or charitable organization to obtain a licence to sell tickets, where they did not have their own premises to sell from, or their premises were otherwise unsuitable. The exception to this requirement was provided by the Minister of Consumer and Commercial Relations, in his letter dated March 6, 1987 (Appendix A). The Licence Division believes that the program should be expanded on a further trial basis to anyone who qualifies under the Minister's exemptions.

While there are concerns about the potential expansion of the program, particularly with respect to the loss of control by the licence holder over the operation of the lottery when

non-members sell tickets, the Licence Division has consulted with the Ministry and the local police to develop additional regulations for break-open ticket sales from commercial or third party locations.

These additional requirements address the majority of the concerns about the control with an expanded program. In addition, Licence Inspectors will be monitoring organizations involved in the program in a similar fashion as is now being done with the 150 charitable and religious organizations who manage and conduct bingo lotteries.

It is suggested that no amendment of the Lotteries By-law take place at this time. The Lotteries By-law relies only upon Provincial Terms and Conditions (Appendix B), and does not incorporate the Ministers exemptions. Once a further review of the expanded program is made, permanent amendments to the Lotteries By-law may be developed. Until that time, the authorization of City Council is requested, for the Licensing Committee to issue licences under the terms of the Minister's letter, subject to specific conditions.

There are presently 24 organizations licensed to sell break-open tickets from their own facilities. The licence fees collected for 1991 totalled \$52,942.00.

cc: Alderman T. Cooke, Chairman
City of Hamilton Licensing Committee

Mr. S. Dembe
Licence Division Manager

Mr. R. Sabo
Law Department

Office of the
MinisterBureau du
MinistreMinistry of
Consumer and
Commercial
RelationsMinistère de la
Consommation
et du
Commerce

416/963-0311

555 Yonge Street
Toronto, Ontario
M7A 2H6

March 6, 1987

TO ALL MUNICIPAL COUNCILS

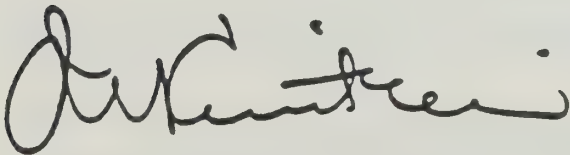
In December 1986, terms and conditions for the issue of Nevada ticket licence were sent to all municipalities by the Lotteries Branch of my ministry. I approved those terms and conditions and I strongly recommend they be complied with by all licencing officials.

However, I have been made aware of a number of charitable and community spirited groups which would otherwise qualify for Nevada ticket licence, but do not own or regularly occupy premises as required by Section 3 of the terms and conditions. Indeed, many of these groups were in receipt of licence and committed to worthwhile projects when the terms and conditions were issued.

In order to alleviate the hardship created for some charitable groups, I hereby authorize a municipal council, in its own discretion, to grant an exemption to the requirements of Sections 3, 4(b) and 17(b) of the terms and conditions provided that:

- (a) the licence applicant cannot meet the requirements of Section 3; or
- (b) the licence applicant meets the requirements of Section 3 but it is impractical to sell tickets from that location;
- (c) the sale of tickets is limited to ONE location only; and
- (d) all other sections of the terms and conditions are complied with.

Where an exemption has been granted, a municipal council must ensure the licensee complies with ALL OTHER TERMS AND CONDITIONS and the recipient charity receives maximum proceeds from the sale of Nevada Tickets.



MONTE KWINTER

Minister

**TERMS AND CONDITIONS UNDER WHICH THE
BREAK-OPEN TICKET LICENCE IS ISSUED
(FORM BOIL-TC)**

It is a condition of each licence that:

- (1) The licensee shall comply with Sections 189 and 190 of the Criminal Code of Canada.
- (2) (a) the licensee shall comply with all the terms and conditions set out in the application for licence.
 (b) an application for Break-Open Tickets shall be made either:
 - (i) to the local Municipal Council in those Municipalities where all Break-Open Ticket licences are issued by that Municipality with the exception of the provisions contained in Section 5, or, in all other cases
 - (ii) to the Lotteries Branch, after appropriate approval is obtained from the local Municipal Council or Band Council where the sales are proposed to take place.
- (3) A Break-Open Ticket Licence shall only be issued to a charitable or religious organization which owns or regularly occupies premises at which tickets will be offered for sale.
- (4) (a) Each applicant for a licence shall specify one designated location at the address where all Break-Open Tickets will be sold. If a licence is issued, tickets shall not be sold at any place other than the location designated in the application and specified on the licence.
 (b) The designated location specified pursuant to this section shall not be a public, commercial, retail location, nor a location licenced by the L.L.B.O. as a public tavern or beverage room.
- (5) Break-Open Tickets may be sold in association with another Social Gaming event provided that:
 - (i) the tickets are sold under a licence issued by the Lotteries Branch pursuant to Section 2(b)(ii)
 - (ii) the licence is issued only to the charitable or religious group(s) conducting the other event(s) at the location where the tickets are to be sold
 - (iii) all terms and conditions for the sale of Break-Open Tickets and the conduct of the other event(s) are complied with.
- (6) No licence shall be issued for a period exceeding six months.
- (7) A licence shall be issued only for the sale of Break-Open Tickets which retail for a maximum of .50¢ and conform with the ticket quantities, prices and prize payouts as provided below; scratch-off or other forms of break-open tickets are not permitted. The value of any prize awarded shall not exceed \$100.00.

COMMON NAME	NO. OF TICKETS PER UNIT	PRICE PER TICKET	GROSS UNIT REVENUE	NO. OF WINNING TICKETS PER UNIT	PRIZES PER UNIT	LICENCE FEE PER UNIT
Regular	1668 or 1664	\$.50	\$ 834 or \$ 832	224	\$600.00	\$10.00
Super	2184	\$.50	\$1092	224 or 228	\$800.00	\$12.00
Junior	1668 or	\$.25	\$ 417	224	\$284.00	\$5.00

- (8) The licensee shall forward a copy of the licence to the manufacturer or the distributor from which tickets are to be purchased.
- (9) The applicant shall supply, upon the request of the licencing authority, a signed right of access from the distributor and the manufacturer of the tickets for which the application is submitted.
- (10) The licensee shall indicate on the face of the tickets the name of the organization, the numbers and amounts of the prizes to be awarded, the price of a ticket, the serial number of the ticket, the licence number and the name of the manufacturer of the ticket.
- (11) The licensee shall maintain all funds raised in a separate account. Such account shall be appropriately designated and into it shall be deposited all and only monies received from the operation of the Break-Open Ticket Lottery less the cash payments made for prizes and administrative expenses. All withdrawals from such designated lottery account shall be exclusively by cheque and only be for the purpose of the payment of the necessary and reasonable expenses incurred in the operation of the lottery or for the disbursement of net proceeds derived for one or more charitable object or purposes. The comminglings of monies derived from the conduct of a lottery with any other funds of the licensee or monies derived from Break-Open Tickets Lottery with monies derived from any other type of lottery is strictly prohibited.
- (12) The gross receipts derived from the sale of Break-Open Tickets shall be used for the charitable or religious objects or purposes set out by the licensee in the application for the licence less all reasonable costs actually expended for the payment of prizes, the purchase of tickets, administrative costs and licence fees.
- (13) All proceeds derived from the sale of Break-Open Tickets shall be used for a charitable or religious object or purpose in Ontario.
- (14) No part of the proceeds derived from the conduct of a Break-Open Ticket Lottery shall be applied to the premises at which the sale of Break-Open Tickets is authorized unless the use of the proceeds for such purpose shall enhance the ability of the licensee to perform services of public good or welfare, and written permission is obtained from the Licencing Authority. The maximum amount of proceeds which any licensee may expend on the premises shall not exceed twenty-five percent of the total net proceeds derived from the conduct of the lottery.
- (15) No licensee shall offer for sale any ticket or number of tickets not contained in a jar, box or other container in which all tickets of the given unit have been placed for sale.
- (16) When the number of tickets within the container has been apparently reduced by one-half, the licensee shall refill the container by adding an additional unit (units) of tickets.
- (17) (a) The licensee shall designate a bona-fide member or members of the organization to be primarily responsible for the sale of tickets, the payment of prizes and the keeping of all required records.
(b) The actual handling or selling of tickets shall not be delegated to any organization, company, entity, or to any other person who is not a bonafide member of the licensee.
- (18) No person who is in any way associated with the sale of Break-Open Tickets shall be permitted to purchase a ticket or participate in the winnings of any ticket.
- (19) No person or organization shall receive any remuneration for selling Break-Open Tickets. Maximum administrative expenses for the sale of tickets shall not exceed .01¢ (one cent) for each ticket sold.

- (21) All Break-Open Tickets shall be opened by the purchaser at the premises stated on the licence and all winning tickets shall be exchanged for cash on the day of sale.
- (22) Winning tickets shall be defaced by the seller at the time of prize payout.
- (23) Each licensee will be held responsible for and shall guarantee the payment of all winnings.
- (24) The licensee shall post the Break-Open Ticket Licence in a conspicuous place at the premises where tickets are being sold.
- (25) The licensee shall obtain invoices for all Break-Open Tickets purchased and retain all invoices for a period of no less than two years.
- (26) Each licence shall at all times maintain complete security over the Break-Open Tickets in its possession and all funds associated therewith. For control of inventory purposes, all stock must be stored and kept in one fixed location in order to permit, if requested, the periodic reconciliation of stock usage and cash flow.
- (27) (a) The licensee shall not permit any person under the age of sixteen years to purchase a ticket.
(b) The licensee shall not extend credit, accept cheques or accept payment by way of credit card for the purchase of any Break-Open Tickets.
- (28) Each licensee shall submit a report on the sale of Break-Open Tickets as set out in Form BOLT-R.
- (29) Such officers as the Minister and Municipal Council may appoint, and all Peace Officers shall, at all reasonable times, have direct and unencumbered access to enquire into the nature, management and conduct of the proceedings for which the licence has been granted, either prior to, during, or after the conclusion of such proceedings.
- (30) A licence may be suspended, cancelled or renewal refused by the issuing authority for breach of any term or condition.
- (31) The Minister may, at any time, suspend or cancel a licence for the breach of any term or condition, or where, in his opinion, to do so is in the public interest.

TABLED 1992 FEB. 6

ROBERT M. MORROW
MAYOR



✓ 5

January 14th, 1992

MEMO TO: Ald. Don Ross
Chairman, Finance & Administration Committee

John Thompson
Secretary, Finance & Administration Committee

FROM: Mayor Robert M. Morrow

SUBJECT: INTERNATIONAL GREAT LAKES/ST. LAWRENCE
MAYORS' CONFERENCE
SECRETARIAT FUNDING

Last May the 5th Annual International Great Lakes St. Lawrence Mayors' Conference was held in Merrillville, Indiana, with the City of Hamilton and the 6 Lake Michigan Municipalities of Gary, Whiting, Michigan City, Hammond, Portage and East Chicago as hosts. The Conference was a tremendous success as it has been in Duluth, Quebec City and Niagara Falls. It has, however, been a major task over the last few years to organize a conference of this significance, consequently, the Steering Committee and the Membership at the Conference last year recommended by resolution the creation of a permanent secretariat to look after all the administrative requirements to keep this a strong annual event.

In order to do this the Steering Committee has recommended that the St. Lawrence Economic Development Council located in Quebec City be contracted to provide all the secretarial and conference organization and administration at an annual cost of \$50,000.00 U.S. (See Contract attached).

RECOMMENDATION: That the City of Hamilton as a member of the Steering Committee contribute up to \$5,000.00 U.S. towards first year funding of the secretariat. Method of financing to be determined.



BACKGROUND:

1. Contract with Sodes
2. The objectives of the International Great Lakes St. Lawrence Mayors' Conference.
3. A summary history of the conferences.

RMM/DC/pb.

cc: Joe Pavelka, Acting C.A.O.
Roy Hammel, Acting Treasurer

CONTRACT

BETWEEN

THE STEERING COMMITTEE

OF THE

INTERNATIONAL

GREAT LAKES ST. LAWRENCE

MAYORS' CONFERENCE

AND

THE ST. LAWRENCE ECONOMIC

DEVELOPMENT COUNCIL (SODES)

**with regard to Taking Charge of the Secretariat
of the International Great Lakes St. Lawrence Mayors' Conference**

THE PARTIES: **THE STEERING COMMITTEE OF THE INTERNATIONAL GREAT LAKES ST. LAWRENCE MAYORS' CONFERENCE, REPRESENTED BY THE MAYORS OF THE MUNICIPALITIES OF THUNDER BAY AND DULUTH,**

hereinafter called "the Mayors";

AND: **THE ST. LAWRENCE ECONOMIC DEVELOPMENT COUNCIL,**

hereinafter called "SODES";

ARTICLE 1. **OBJECT OF THE CONTRACT**

The Mayors require SODES' services to establish a permanent and bilingual (French and English) secretariat for the International Great Lakes St. Lawrence Mayors' Conference (hereinafter called the "Secretariat") which will bring together the mayors of Canadian and American municipalities bordering on the Great Lakes and the St. Lawrence River.

ARTICLE 2. **THE SECRETARIAT**

The Secretariat to be established by SODES shall assume the following responsibilities:

- i) to provide the administrative support and the general secretarial services to the Mayors;
- ii) to help the host city organize the annual International Great Lakes St. Lawrence Mayors' Conference (hereinafter called the "Mayors' Conference");
- iii) to disseminate the resolutions adopted by the Mayors and ensure their follow-up.

2.1 ADMINISTRATIVE SUPPORT AND SECRETARIAL SERVICES

In order to provide the administrative support and secretarial services for the Mayors and the Mayors' Conference, SODES shall:

- i) provide an office for the Secretariat;
- ii) appoint an individual responsible for the operation of the Secretariat;
- iii) ensure that the Secretariat carries out any task normally fulfilled by similar organizations, such as:

- having office supplies bearing the Secretariat's logo;
- ensuring telephone, fax, photocopying and translation services;
- organizing the regular meetings and activities of the Mayors and of any of their sub-committee;
- producing all documents required for these activities.

2.2 ANNUAL CONFERENCE

It is understood and agreed that the city hosting the annual Mayors' Conference is responsible and shall, as such, supervise the organization and all the financial aspects of the said conference.

The Secretariat shall, however, help the host city organize the following aspects of the Mayors' Conference:

- | | |
|------|---|
| i) | planning; |
| ii) | preparation of teams and resolutions; |
| iii) | selection of speakers; |
| iv) | supervision of the production of material to be used by speakers and/or participants; |
| v) | coordination of the promotion. |

2.3 FOLLOW-UP

The Secretariat shall be responsible to follow the Mayors' decisions up by ensuring that their resolutions are properly disseminated and promoted. This responsibility also includes the gathering and exchange of information, the drafting of resolutions and the preparation of teams on any question of general or specific interest which the Mayors may find appropriate to discuss as part of their activities or at the annual Mayors' Conference.

ARTICLE 3. MAYORS' RESPONSIBILITIES

The Mayors shall provide SODES through the Secretariat with all the instructions, directions and information necessary for it to fulfill the responsibilities described at Article 2 above.

The Mayors are responsible for the payment of the fees provided for at Article 4.1.

ARTICLE 4. FEES

4.1 In consideration of the services described at Article 2 above, for the period ending on December 31, 1992, the Mayors shall pay SODES a lump sum of US\$50,000.

4.2 The amount provided for at Article 4.1 is payable in two instalments:

- (a) a first payment in the amount of US\$31,000 is payable on February 1, 1992. It should be collected from the municipalities of the Steering Committee in the following proportion:

Montréal	US\$5,000	
Québec City	US\$5,000	
Hamilton	US\$5,000	
Thunder Bay	US\$5,000	
Milwaukee	US\$5,000	
Duluth	US\$3,000	
Cities located in Northern Indiana	<u>US\$3,000</u>	<u>US\$31,000</u>

- (b) the balance of US\$19,000 is payable on June 1, 1992. It should be derived from the anticipated profits of the annual Mayors' Conference scheduled for May 1992 in Thunder Bay.

- 4.3 Should it become impossible to collect the participation of any one municipality in the manner and by the date provided for at Article 4.2 (a) above, the Mayors and each municipality they represent shall be jointly and severally responsible to ensure the payment of the full sum of US\$31,000 by February 1, 1992. Likewise, should the profits of the annual Mayors' Conference at Thunder Bay be insufficient to pay the second instalment of US\$19,000 by the date indicated at Article 4.2 (b) above, the Mayors and each municipality they represent shall be jointly and severally responsible to pay the said amount by June 1, 1992.

ARTICLE 5. RELATIONS BETWEEN THE PARTIES

- 5.1 Immediately after the signature of the present agreement, SODES shall inform the Mayors of the name of the person appointed by it in accordance with Article 2.1 (i) above to coordinate the operations of the Secretariat.
- 5.2 It is understood and agreed that such person shall remain at all time an employee of SODES, even while acting as a liaison between the Mayors and SODES or while working in close cooperation or under the supervision of the host city responsible for the annual Mayors' Conference. Such person shall, in no event, incur any personal liability or obligation towards the Mayors.
- 5.3 It is understood and agreed that SODES is and shall remain an independant organization. Its participation, through the Secretariat, in the organization of the Mayors' Conference or in the activities of the Mayors, shall not be construed as an automatic endorsement by SODES of the position, decisions and/or resolutions adopted by the Mayors during the annual Mayors' Conference or otherwise.

- 5.4 The Mayors shall inform SODES, as soon as practicable after the signature of the present agreement, of the name of the person(s) appointed by the host city to organize the annual Mayors' Conference.
- 5.5 SODES has the right to subcontract or delegate any part of its undertakings but it shall remain responsible for the respect and performance of the present agreement.

ARTICLE 6. TERM

- 6.1 This agreement shall take effect on January 1, 1992, and shall terminate on December 31, 1992.
- 6.2 Unless a written notice of termination is given ninety (90) days before the termination date by one of the parties, the present agreement shall automatically be renewed for an additional year, subject to proper adjustment of the fees payable to SODES which must be mutually agreed.

ARTICLE 7. ENTIRE AGREEMENT

The present agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and cancels and supercedes any prior understanding and/or agreement between the parties with respect thereto. There are no representations, warranties or collateral agreements express or implied between the parties.

ARTICLE 8. CANCELLATION

Should one party fail to perform or to fulfill its obligations hereunder, the other party may terminate the present agreement by giving notice in writing to the party in default. In such instance, the agreement shall terminate ten (10) days after the receipt of the notice which must be sent by registered mail.

Should this agreement be cancelled before the expiration of the term provided for at Article 6 above, for any reason whatsoever, both parties shall be relieved of all their obligations and/or responsibilities hereunder and shall not be liable to the other party for any loss and/or damage whatsoever, howsoever caused.

FOR THE ST. LAWRENCE ECONOMIC DEVELOPMENT COUNCIL

Henri Allard
President

Date

FOR THE STEERING COMMITTEE OF THE INTERNATIONAL GREAT LAKES ST.
LAWRENCE MAYORS' CONFERENCE

Dave Hamilton
Mayor of Thunder Bay

Date

Gary L. Doty
Mayor of Duluth

Date

THE STEERING COMMITTEE OF THE INTERNATIONAL GREAT LAKES ST. LAWRENCE MAYORS' CONFERENCE

Sammie L. Maletta, Mayor of Portage, Indiana — Co-Chairman, 1991



Elected to office in 1987, Mayor Sammie Maletta served on the Portage City Council for 17½ years prior to his election as mayor. A life-long resident of Northwest Indiana, Mayor Maletta presently serves on the Executive Board of the Northwestern Indiana Regional Planning Commission and is past chairman and past treasurer of the Lake Michigan Marina Development Commission.

Always civically-minded, Mayor Maletta has been involved with numerous community associations and programs, including the Boys Club of Northwest Indiana, the Cerebral Palsy Foundation of Northwest Indiana, and local

educational institutions. He is a 35-year member of the American Legion and serves on the Board of Directors of the Old Timers Athletic Association.

Robert M. Morrow, Mayor of Hamilton, Ontario — Co-Chairman, 1991

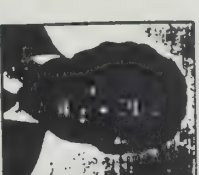


Mayor of Hamilton since November, 1987, Robert M. Morrow has presided over one of the most exciting periods in Hamilton's history. Economically, culturally, and socially, Hamilton has entered a new era as it diversifies and continues to make significant contributions as a great Canadian city.

Mayor Morrow is a native of Hamilton and a teacher by profession at both the high school and college levels. He is a graduate in History and Political Science and also in Piano from A.R.C.T. (Toronto).

Prior to his election as mayor, he served Hamilton as an Alderman, Controller, and Deputy Mayor.

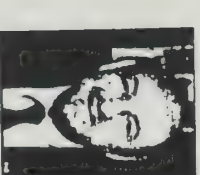
Arthur C. Eggleton, Mayor of Toronto, Ontario



Arthur C. Eggleton, Mayor of Toronto since 1980, is the longest serving mayor in the history of Toronto. In his four terms of service, Mayor Eggleton has served as Chairman of City Executive, Cityhome, the Toronto Mayor's Committee on Community and Race Relations, the Toronto Economic Development Committee, the Housing Action Committee, and the Mayor's Task Force on Drugs.

An accountant by profession, Mayor Eggleton's career in municipal politics stretches back more than two decades. In successive years since his first political victory in 1969, Mr. Eggleton served as Budget Chief, President of the City Council, and Vice Chairman of the City Executive Committee.

James D. Griffin, Mayor of Buffalo, New York



James D. Griffin served as co-chairman of the 1989 International Great Lakes St. Lawrence Mayors' Conference. Elected as mayor in 1977, Mayor Griffin has a long history of public service. His career began in 1961 as a District Councilman. In 1967, he began an 11-year tenure as a New York State Senator, during which he represented Buffalo and Western New York's interests in the state capital.

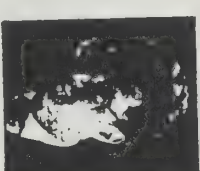
During Mayor Griffin's 13-year administration, Buffalo has seen a major shift in the city's economic base from an industrial-based to a more diversified economy. Downtown Buffalo continues with a strong revitalization and modernization plan that has transformed former industrial waterfront properties into residential and recreational neighborhoods.

Jack Masters, Mayor of Thunder Bay, Ontario



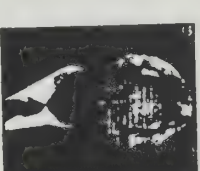
Elected to office in 1985, Mayor Jack Masters has held numerous other positions in addition to mayor. He has been the Chairman of the Northern Development Council in Thunder Bay and a member of the Great Lakes/St. Lawrence International Seaway Conference Committee since 1986. From February, 1980 to September, 1984, Mayor Masters was also a member of the Federal Parliament. Prior to his political career, Mayor Masters was Vice-President and Station Manager of CKPR-CHFD-TV. He then moved into the insurance field in 1977, where he held the positions of General Manager and Insurance Executive with Thunder Bay Insurance Services Limited.

John O. Norquist, Mayor of Milwaukee, Wisconsin



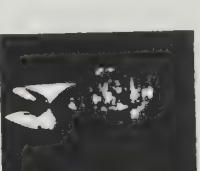
John O. Norquist served as co-chairman of the 1990 International Great Lakes St. Lawrence Mayors' Conference. Elected as the 37th Mayor of Milwaukee in April 1988, Mayor Norquist also serves on the U.S. Conference of Mayors' Advisory Board and is a member of the group's Federal Budget Task Force, the Urban Economic Policy Committee, and the Task Force on Recycling. Prior to his election as mayor, he served 13 years in the Wisconsin Assembly and Senate, representing Milwaukee's south and west sides.

Jean-Paul Lallier, Mayor of Quebec, Quebec



Mayor Jean-Paul Lallier was elected to City Council in November of 1989. Prior to his election, he was General Delegate for Quebec in Belgium from 1981 to 1984. He also served as a member of the National Assembly of Quebec and occupied a number of ministerial posts for the Quebec Government between 1975 and 1976, including Minister of Public Services, Minister of Communications, and Minister of Cultural Affairs.

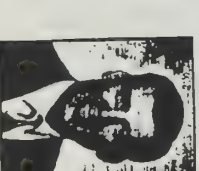
Jean Doré, Mayor of Montreal, Quebec



A city councillor since 1984, Jean Doré was elected Mayor of Montreal on November 9, 1986, winning 68% of the popular vote. He was re-elected on November 4, 1990 with 59.2% of the popular vote.

During his first mandate, Mayor Doré set out to modernize the municipal government, democratize municipal political life, and develop various features which will enable Montreal to take its rightful place among the major cities of the world.

John A. Fedo, Mayor of Duluth, Minnesota



Elected in 1980 as Duluth's youngest mayor at age 29, John A. Fedo has led the community from what the Wall Street Journal called "One of the U.S. 10 Most Economically Distressed Cities" in 1981 to a thriving, exciting city that won 1988 U.S. Conference of Mayors Livability Award.

During his 11 years as Duluth's Mayor and Chief Executive Officer, John Fedo has played an active role in creating Duluth's formalized and successful economic development effort. He has also brought together a young, aggressive staff which created the city's first Public Arts Commission, initiated successful waterfront plans for Duluth's industry, tourism, and retail markets.

sodes

Société de développement
économique du Saint-Laurent

St. Lawrence Economic
Development Council

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CONSEILLER SPÉCIAL/ SPECIAL ADVISOR

Mugues Morissette
Secrétariat et la mise en valeur
du Saint-Laurent

DIRECTEUR GÉNÉRAL/ EXECUTIVE DIRECTOR

Marc Gagnon

Siège social
S.S. Grande Allée est
Québec, Québec

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Montréal

Tél.: (514) 846 7022

January 16, 1992

Mr. Robert M. Morrow
Mayor
City Hall of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

RE: International Great Lakes St. Lawrence Mayors' Conference

Dear Mr. Morrow:

As you are now aware, SODES has been mandated to set up the Secretariat for the International Great Lakes St. Lawrence Mayors' Conference.

You will find enclosed a contract proposal binding SODES to the Mayors' Conference to carry out this mandate. This document reflects the intent of the agreement reached between SODES and the members of the Mayors' Conference Steering Committee during the November 25, 1991 meeting in Thunder Bay. If you have any objections to the definition of the mandate as outlined in this contract proposal, we would appreciate you forwarding them to us before Wednesday, January 22.

An agreement in principle was reached with the Great Lakes Commission, an inter-state agency based in Michigan, to take responsibility for part of the Secretariat's work in the United States. This agreement will enable the Secretariat to quickly acquire greater efficiency and help it promote Mayors' Conference activities in the US.

Claude Mailoux, Assistant Executive Director of Sodes, has been appointed to coordinate Mayors' Conference Secretariat activities. Please contact Mr. Mailoux if you have any questions about the attached contract proposal.

Sincerely,



Marc Gagnon
Executive Director

Enclosure

MAYORS' CONFERENCE HISTORY AND OBJECTIVES

In 1983, twelve leading organizations of the Great Lakes St. Lawrence region united to establish a binational alliance for the expansion of commerce and trade. This alliance, named the Great Lakes St. Lawrence Maritime Forum, was dedicated to marketing the region and the tremendous opportunities of its maritime transportation system.

Recognizing the need to involve the region's municipalities, the Maritime Forum organized the first International Great Lakes St. Lawrence Mayors' Conference in Quebec City in 1987. The Conference drew over 200 participants from the eight Great Lakes states and the Canadian provinces of Ontario and Quebec.

At that first meeting, the mayors adopted a series of objectives that continue to govern the focus of the Conference. These objectives are:

1. Provide an opportunity for Mayors to focus their attention on and collectively support and advocate for the common interests in our shared resource, the Great Lakes St. Lawrence System.
2. Provide Mayors a forum in which to identify common challenges and opportunities for expanding economic utilization of the Great Lakes St. Lawrence System.
3. Promote increased visibility for the commercial navigation system assets shared by communities on the Great Lakes St. Lawrence System.
4. Promote an increased awareness of shared Great Lakes St. Lawrence environmental assets and develop a common Mayors' strategy to protect and enhance the resource.
5. Promote increased visibility for the recreation and tourism assets shared by communities on the Great Lakes St. Lawrence System.

CITY OF HAMILTON
- RECOMMENDATION -

6(a)

DATE: 1992 February 13

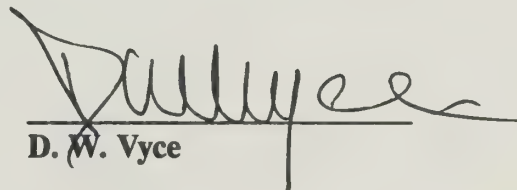
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. D. W. Vyce
Director of Property

SUBJECT: Restructuring - Real Estate Division

RECOMMENDATION:

- a) That the existing position of Property Officer (CPR 114) be eliminated.
- b) That a new position of Senior Property Officer (CPR 112) be created.


D. W. Vyce

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

The restructuring will increase the 1992 Real Estate Division budget by \$3,768.00 (including benefits), and will be funded from within the existing Property Department budget.

BACKGROUND:

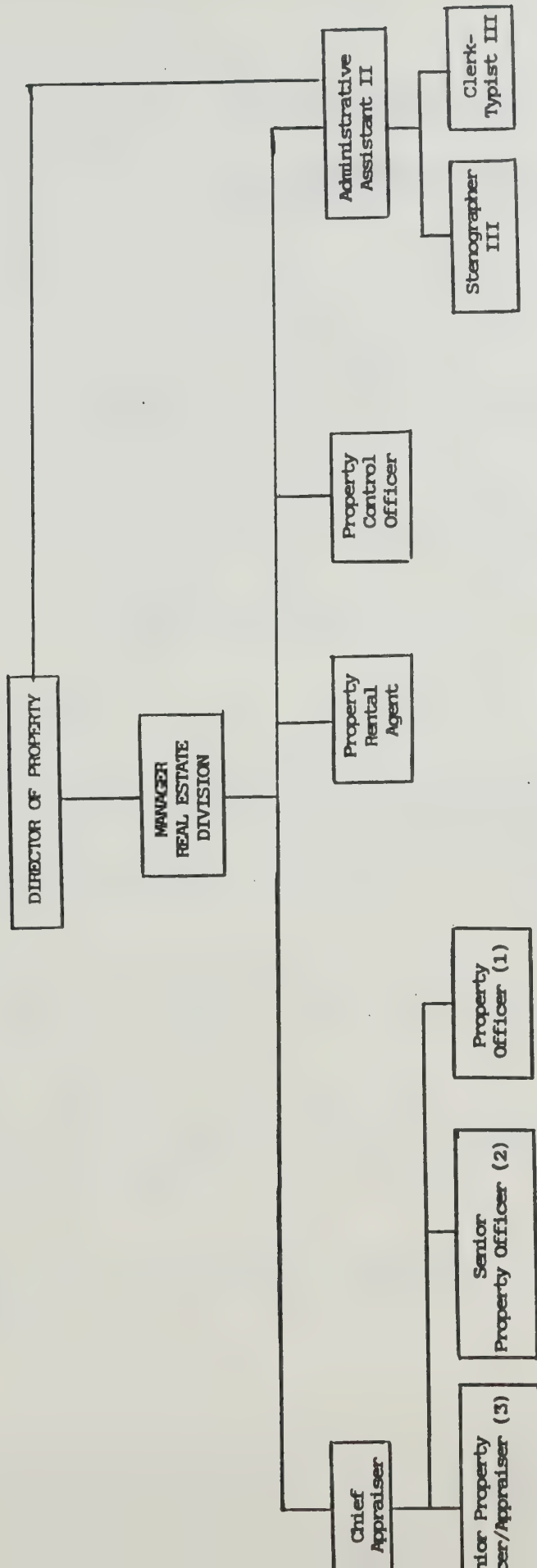
A comprehensive audit of the Real Estate Division was completed in January 1991 by Pannell, Kerr, MacGillivray and approved by City Council on March 26, 1991 by the adoption of Item 18 of the 6th Report of the Finance and Administration Committee. That audit identified difficulties in servicing client City and Regional departments and recommended, among other alternatives, that policies and procedures be developed to govern contracting out arrangements. Prior to pursuing contracting alternatives we have attempted to meet delivery expectations by utilizing the existing position of Property Officer in the same manner as that of the Senior Property Officer position. The additional flexibility in allocating staff resources has been successful in helping to meet project

13 February 1992
Finance and Administration Committee
Page 2

scheduling more economically than the audit recommendation. The upgraded position has also generated revenues from the Region as part of the fee for service contract. In the 1992 budget year we expect to recover the full amount of the \$3,768 incremental cost increase from increased Regional billing. As service demands are projected to remain constant we are requesting approval to make this restructuring permanent.

c.c. - Mr. John Johnston, Commissioner of Human Resources
- Mr. I. R. Hammel, Acting Treasurer

(4506)



CITY OF HAMILTON

- RECOMMENDATION -

6(b)

R E C E I V E D

FEB 12 1992

DATE: 1992 February 13

REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: D. W. Vyce, Director
Property Department

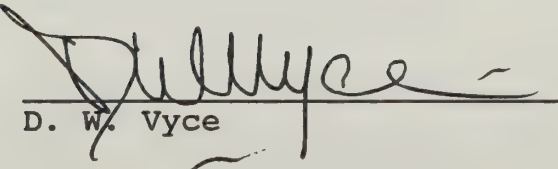
T. Bradley, Manager of Purchasing
Treasury Department

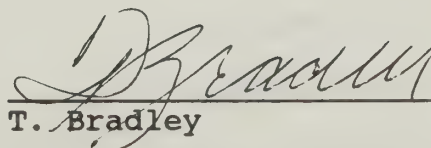
SUBJECT: Direct Purchase Of Natural Gas
(Ref. C15.23.91)

CITY CLERKS

RECOMMENDATION:

- a) That The Corporation City of Hamilton accept the offer from Saskatchewan Oil and Gas Corporation (SASKOIL) for the three-year supply of natural gas for all Civic properties at \$1.28 per Gigajoule for 1992, \$1.30 per Gigajoule for 1993, and to negotiate at market prices for 1994 and if the price can't be agreed upon it shall be set by arbitration; and
- b) That the Mayor and City Clerk be authorized to execute the agreements as required which are to be in a form satisfactory to the City Solicitor to provide for the transmission of natural gas between SASKOIL and Union Gas; and
- c) That the Mayor and City Clerk be authorized to sign the agreements as required which are to be in a form satisfactory to the City Solicitor to permit SASKOIL to act as agent for The City of Hamilton in negotiations between SASKOIL and Union Gas; and
- d) That the City Solicitor be authorized and directed to apply to the Ontario Municipal Board for necessary approval.


D. W. Vyce


T. Bradley

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Annualized savings of \$134,364 will be realized through the direct purchase of natural gas. Assuming Council accepts our Recommendation, savings will be realized in our 1992 Budget effective July 1, 1992.

BACKGROUND:

At the request of the Building Operations & Maintenance Division, Property Department, the Manager of Purchasing tendered a Request For Proposal (RFP) for the supply of natural gas for some 96 Civic properties. Quotes were requested for a three-year term with prices either being fixed or indexed based on the Weighted Average Cost Of Gas (WACOG), a price indicator used in the natural gas industry. In response to the RFP, the Purchasing Department received proposals from 11 corporations (see attached).

After reviewing the submitted proposals the four corporations with the lowest bids were invited to be interviewed by a selection committee comprised of; The Director of The Property Department; The Manager of Purchasing; The Manager of Administration, Property Department; The Assistant Solicitor, Legal Services Division, Law Department; and Assistant Manager, Building Operations & Maintenance Division, Property Department.

The criteria used by the selection committee in its evaluation of the proposals and accompanying interviews were; a) Backstopping Capabilities, b) Load Balancing Capabilities, c) Administrative Assistance, d) Reliability, e) Financial Integrity, f) Expertise (similar sized contracts), g) Price, and h) Comfort With Their Ability To Perform. Upon completion of this process the committee agreed unanimously that SASKOIL offered the proposal that best minimized the risk to the City while maximizing the potential savings.

The following illustrates the annualized cost savings that would accrue to the City for 1992. Currently, the cost of gas from Union Gas is \$2.14 per Gigajoule. (a gigajoule is a unit of gas measurement). The City's annual gas bill is estimated at approximately \$840,000. It should be noted that due to fiscal restraints, the Property Department has anticipated acceptance of this recommendation and reflected these cost savings in their 1992 Maintenance Budget effective 1992 July 1.

COST FROM UNION GAS	\$903,533 *
COST FROM SASKOIL	\$769,169 *
NET SAVINGS	\$134,364 *

* Costs are inclusive of G.S.T.

It is appropriate to identify the potential risks which are inherent in the agreements that must be signed with Union Gas to transmit this gas on their distribution system. The City would be accepting that existing long-term gas supply and transportation contracts will be replaced by SASKOIL gas supply and transportation contracts. Union Gas seeks to provide in its contractual agreement that it will not be held liable for any damages, costs or expenses incurred by the City as a result of Union Gas curtailing or ceasing deliveries of gas to the City's properties. The Union Gas agreement states that it may not be able to supply the City's future gas needs, following the expiry or termination of the Direct Purchase arrangements. Union Gas' obligation to serve the City properties will be reduced to a "reasonable effort basis". If the supplier, SASKOIL is unable to deliver the contracted daily quantity of gas to Union Gas, Union Gas may immediately curtail or cease deliveries of gas to the City's properties.

It is believed the likelihood of either of these events is remote especially in view of the current gas supply situation. Pipelines are not operating at full capacity.

Further, Union Gas will not be required to purchase from the City a volume of gas which exceeds the total volume of gas actually consumed at the City's properties plus or minus five percent. This will preclude the City from realizing any more savings than it has contracted for. The City will hold Union Gas harmless and indemnify Union Gas against any and all claims that result from its agency agreement with SASKOIL, which include any and all claims resulting from billing, payment and distribution of funds under that agreement.

A large number of municipalities and regions, including recently, The Regional Municipality of Hamilton Wentworth, have also assessed these risks and have decided to enter into similar agreements for the direct purchase of natural gas. SASKOIL is a large producer of natural gas and has negotiated many agreements for the direct purchase of natural gas including; all Hamilton hospitals i.e. Hamilton Civic, McMaster, St. Joseph's et cetera, the Ontario Hospital Association, The City of Regina, Consumers Gas Association to name only a few.

With the potential annual savings of approximately \$134,364 that will accrue to the City and with the risk factors minimized, it is recommended that the City of Hamilton enter into a direct purchase agreement of natural gas with SASKOIL and Union Gas. All agreements must be in a form satisfactory to the City's Law Department.

Attch.

c.c. J. G. Pavelka, P.Eng., Acting Chief Administrative Officer
R. Hammel, Acting City Treasurer

: C15.23.91
sed: 91.12.18

PROPOSAL CALL FOR THE
SUPPLY OF NATURAL GAS TO CIVIC OWNED FACILITIES

DER	FIRM PRICE /GJ 1992	INDEXED PRICE /GJ 1992	EXPENSES /GJ 1992	FIRM PRICE /GJ 1993	INDEXED PRICE /GJ 1993	EXPENSES 1993	FIRM PRICE /GJ 1994	INDEXED PRICE /GJ 1994	EXPENSES 1994
AT WEST RGY LTD	\$1.29	NA	NA	NA	.79% WACOG	NA	NA	.79% WACOG	NA
IGAS CORP.	\$1.25	NA	NA	\$1.32	NA	NA	NA	.82% WACOG	NA
KOIL AND GAS	\$1.28	NA	NA	\$1.30	NA	NA	NA	NEGOTIATE	NA
GAS CORP.	\$1.30 \$0.07 (FST PREMIUM)	NA	NA	NA	NEGOTIATE	NA	NA	NEGOTIATE	NA
OLA CANADA RGY	\$1.31	NA	NA	\$1.35	NA	NA	NA	.80% WACOG	NA
NTINENTAL ERGY MARKETING	\$1.32	NA	NA	\$1.37	NA	NA	\$1.42	NA	NA
TH CANADIAN LS	\$1.35 (FS) \$1.43 (FST)		NA	\$1.40 (FS) \$1.48 (FST)		NA	-	-	-
TUAL GAS	\$1.36	NA	NA	\$1.41	NA	NA	\$1.46	NA	NA
UNSTATES GAS RKETING	\$1.35 (+ TCPS UPSTREAM DIFFERENTIAL)				-	-	-	-	-
TRTHRIDGE	\$1.35	NA	NA	\$1.45	NA	NA	NA	NEGOTIATE	NA
E. SHARP & OCIATES	NA	.83% WACOG	\$0.02	NA	.83% WACOG	\$0.01		.83% WACOG	\$0.01

6(c)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1992 February 14

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. T. Bradley
Manager of Purchasing

SUBJECT: CARETAKING SERVICES, VARIOUS
RECREATION CENTRES DURING 1992, 1993, 1994

RECOMMENDATION:

That purchase orders be issued to provide caretaking services at various recreation centres during 1992, 1993, 1994, being the lowest acceptable of seven tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, and that these expenditures be financed through various approved accounts.

	May 1-Dec.31 <u>1992</u>	Jan. 1 - Dec. 31 <u>1993</u>	<u>1994</u>
<u>Part A</u>			
Alpha Cleaning Services, Hamilton	\$ 75,555.18	\$100,369.44	\$100,369.44
<u>Part B</u>			
Sunshine Building Maintenance, Burlington	83,094.69	111,061.08	112,059.24

Above prices include G.S.T. and reflect discounts allowed.


T. Bradley, Manager of Purchasing


D. W. Vyce, Director of Property

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Annualized savings of \$161,000 will be realized to the City. Pro-rata savings will be reflected in our 1992 Current Budget on the assumption the change over will take place on May 1, 1992.

REPORT TO: Mr. J. D. Thompson, Secretary

FROM: Mr. T. Bradley

SUBJECT: CARETAKING SERVICES, VARIOUS RECREATION CENTRES DURING 1992, 1993, 1994

Page 2

BACKGROUND:
The Board of Education has been advised of the City's intent in this regard, both prior to going to tender and after the tenders were received.

<u>Tender Analysis</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>TOTAL</u>
------------------------	-------------	-------------	-------------	--------------

<u>Part A</u>				
Alpha Cleaning Services, Hamilton	\$ 75,555.18	\$100,369.44	\$100,369.44	\$276,294.06
Sunshine Building Maintenance, Burlington	82,326.15	110,294.52	110,822.52	303,443.19
McArthurs Janitor Service, Hamilton	84,690.72	112,920.96	112,920.96	310,532.64
ServiceMaster, Burlington	83,889.00	113,022.24	114,660.00	311,571.24
Modern Building Cleaning, Hamilton	92 994.12	126,368.16	120,212.16	339,574.44
Janitorial Development, Hamilton	86,400.00	119,640.00	124,200.00	330,240.00
Snow White Cleaning Services, Hamilton	88,780.00	124,292.76	130,507.44	334,580.00

<u>Part B</u>				
Sunshine Building Maintenance, Burlington	\$ 83,097.75	\$111,061.08	\$112,059.24	\$306,218.07
McArthurs Janitor Service, Hamilton	84,690.72	112,920.96	112,920.96	310,532.64
ServiceMaster, Burlington	83,889.00	113,022.24	114,660.00	311,571.24
Modern Building Cleaning, Hamilton	92,994.00	126,368.16	120,212.16	339,574.32
Alpha Cleaning Services, Hamilton	90,153.00	120,208.68	120,208.68	330,570.36
Janitorial Development, Hamilton	86,400.00	119,640.00	124,200.00	330,240.00
Snow White Cleaning Services, Hamilton	105,222.00	147,311.28	154,676.64	407,209.92

See correspondence attached for additional background information.

CITY OF HAMILTON

- INFORMATION -

DATE: 1991 November 13

REPORT TO: J. D. Thompson, Secretary
Finance & Administration Committee

FROM: D. W. Vyce
Director of Property

SUBJECT: CLEANING - School Attached Recreation Centres

BACKGROUND:

As you are aware, there are eight school attached recreation centres scattered throughout the City (Bennetto, Dalewood, Churchill, Ryerson, Hill Park, Westmount, N.P. Lewis, MacNab). These recreation centres, with the exception of one, are cleaned by Board of Education personnel through an agreement with the Board, and have been since their initial existence. MacNab Recreation centre is the only exception. It is cleaned by an independent contractor (Snow White Cleaning) retained through the Board of Education.

Our analysis of the costs the Board of Education charges the City for this cleaning service reveals to us that it is rather expensive. There is absolutely no doubt in our minds, and ironically enough, in the opinion of the Board, that the City could obtain the service at a lesser cost while still maintaining quality. The cleaning service we receive at MacNab by the independent contractor is quite acceptable and the cost of the service is the least of all the City's school attached recreation centres.

Accordingly, we propose to call for tenders from private cleaning companies to provide the City with a cleaning service at these school attached recreation centres. The calling of tenders does not commit the City to alter its procedures, but at least we will know the cost of an alternative system.

In the event the City decides to cease using the Board of Education service, from the Board's standpoint, it will result in a maximum surplus employee complement of 17 persons who will either have to be absorbed into their workforce or made redundant. I am advised by the Board that three persons could be absorbed into the system in January and two to three additional persons in September of 1992. Further available positions are unknown at present.

1991 November 13

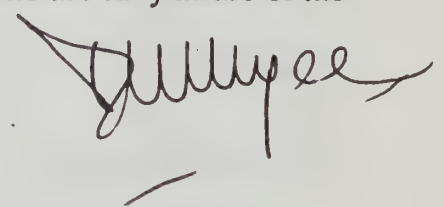
J. D. Thompson

Page 2

Obviously the greatest affect on the Board will be if the City decides to make an "across the board" change at an early date. An alternative would be a phased in program.

I thought I should inform the members of the Finance & Administration Committee of our intentions inasmuch as our action would result in a downsizing of staff complement, albeit, at the Board of Education level, and no doubt our members of Council will be contacted in this regard.

We have discussed this matter with the Senior Staff of the Board who are fully aware of the course of action we are pursuing.



c.c. L. Sage, Chief Administrative Officer
E. C. Matthews, Treasurer
T. Bradley, Manager of Purchasing
R. Sugden, Director of Culture & Recreation
J. Johnson, Commissioner, Human Resources Centre
R. Swan, Manager, Building Operations & Maintenance Division
R. Desnoyers, Assistant Manager, Building Operations & Maintenance Division

Board of Education, City of Hamilton
100 Main Street West
HAMILTON, Ontario
L8P 1H6
Attn: R. Orlando, Superintendent of Plant



THE CORPORATION OF THE CITY OF HAMILTON

City Hall, 71 Main Street West, Hamilton, Ontario L8N 3T4

February 12, 1992

The Board of Education
for the City of Hamilton
100 Main Street West
HAMILTON, Ontario
L8P 1H6

Attention: Mr. R. Orlando, Superintendent of Plant

Dear Sir:

Re: Cleaning - School Attached Recreation Centres

During the month of November 1991, senior staff from the City and the Board of Education met to discuss a situation which has faced the City in recent years, and which is causing us some concern---the ever increasing cost of cleaning our school attached recreation centres.

As indicated in my report to the City's Finance and Administration Committee, dated November 13, 1991 (a copy was forwarded to your attention), the City has proceeded to call for tenders from private cleaning companies to provide the City with a cleaning service at the school attached recreation centres.

The tenders have now been received, analyzed thoroughly, and interviews held with some of the tendering company officials.

The tenders have revealed one thing for certain--the cost from a private janitorial service company to provide cleaning services which will meet our specifications at the school attached recreation centres, is far less than the cost of obtaining a similar service from the Board of Education.

Our analysis of the tenders confirms that the City could realize an annualized saving of approximately \$161,000.00.

In today's tough economic times, in particular with the City facing budget cuts, rightsizing of staff complement, and a continual search for ways and means of improving the programs and services we deliver to the public, an annualized cost saving of this magnitude cannot be

1992 February 12
Mr. R. Orlando
Page 2

ignored. The quality of service which has been provided by the Board of Education for the past number of years is not in question whatsoever; it is simply a matter of economics.

From our previous discussion with you, I understand that a City decision to cease utilizing Board of Education personnel to provide cleaning services at our school attached centres will result in a maximum surplus employee complement of seventeen (17) persons, who will either have to be absorbed into your overall workforce or made redundant. Hopefully, for the sake of the employees, arrangements could be made for the first alternative.

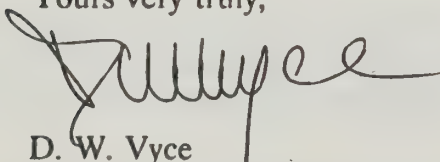
In conclusion, I must advise you that I intend to prepare a report for the next meeting of the City's Finance and Administration Committee, to be held on February 20, 1992. I will be recommending the awarding of contracts for the cleaning of eight school attached recreation centres: Hill Park, Bennetto, N. P. Lewis, Churchill, Dalewood, Westmount, MacNab & Ryerson, with a commencement date of May 1, 1992.

I fully realize that the more time you have to make alternate arrangements for your staff, the better it would be from your point of view. On the other hand you must appreciate that at the City's end we too are under intense pressure to find ways and means of reducing our budgets. The savings are very real, and very large and simply cannot be ignored.

I sincerely hope the City's action in this regard will not cause too great an upheaval to your operation, and that the affected employees can be accommodated. We have enjoyed our a good relationship over the past years with respect to the service you have provided. There have been some differences of opinion from time to time, but these are to be expected in any relationship.

We look forward to a continued fruitful relationship with the Board of Education on all other matters, as we continue to liaise with you on various issues.

Yours very truly,



D. W. Vyce
Director of Property

/dcr

1992 February 12

Mr. R. Orlando

Page 3

c.c. K. Rielly, Director of Education and Secretary
The Board of Education
100 Main Street W.
HAMILTON, Ontario
L8P 1H6

J. G. Pavelka, P.Eng., Acting Chief Administrative Officer

R. Swan, Manager, Building Operations & Maintenance

R. Desnoyers, Assistant Manager, Building Operations & Maintenance

R. Sugden, Director of Culture & Recreation

J. Johnston, Commissioner, Human Resources Centre

✓T. Bradley, Manager of Purchasing

CITY OF HAMILTON
- INFORMATION -

7(a)

DATE: 1992 February 13

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Terms of Employment - School Crossing Guards
(C-018-092)



J. Johnston

BACKGROUND:

At its January 9, 1992 meeting, the Finance and Administration Committee tabled report C-003-092 Terms of Employment - School Crossing Guards in order to have an opportunity to review the sick leave provisions.

Responsibility for the administration of the School Crossing Guard programme was transferred from the Hamilton-Wentworth Regional Police to the City of Hamilton in April, 1990. Crossing Guards, while under the auspices of the Police, regularly received a Terms of Employment document outlining their wage schedule and benefits. The document covering the 1989-90 period is attached as Appendix A, for reference and the sick leave provisions are item 6. The Terms of Employment under consideration by the Committee is a more definitive document which provides the guards and the employer with a more explicit statement of the benefits, as well as their administration.

Sick Leave Provisions

The sick leave provisions contained in the proposed Terms of Employment are basically the same as those previously available to the guards during their employment with the Police. The accumulation of 1.5 days per month sick leave credit is continued, as is access to a proportional payout of the sick leave bank upon termination of service. The calculation of this gratuity has been changed to make it consistent with the City of Hamilton Sick Leave By-law.

Consideration has been given to providing the guards with a weekly indemnity benefit, in place of a sick leave bank. Discussions with major insurance carrier suggests that they and others in the industry would be unwilling to quote on such a plan given that the group is in the not for profit sector, works fewer than 20 hours per week, and is in an older age category. The latter fact alone could make a weekly indemnity benefit quite costly for the employer.

The document under consideration by the Committee includes a new provision, Medical Testing (Section 11, page 6) which strengthens the employer's position with respect to assessing an employee's ability to discharge his or her duties.



155 King William Street, P.O. Box 1060, Station A, Hamilton, Ontario Canada, L8N 4C1 Telephone: (416) 522-4925

Chief of Police Colin T. Millar

17 May 1989

All School Crossing Guards,
Hamilton-Wentworth

TERMS OF EMPLOYMENT - WAGE INCREASE

Ladies and Gentlemen,

I am pleased to announce the wage and terms of employment package for 1989 and 1990 has been approved.

The wage increases are:

retro-active to January 1st, 1989 = 4.75%
and on September 1st, 1989 = 1.0%

and on January 1st, 1990 = 5.0%

The hourly wage for a guard in their 1st year of service whose hourly wage in 1988 was \$7.11 per/hr. will be: 7.52 per/hr. in 1989 and 7.82 per/hr. in 1990.

Another major change is the addition over 3 years of new pay levels for guards with over 5 years and 10 years of service. The 10 year level begins immediately (January 89) and the 5 year level is added next January (1990). To make this change the 3 year service level will gradually be phased out. For example those who are in the 3 year rate now will be moved to a higher paid 4 year rate in 1990 and finally will qualify for the 5 year rate in 1991.

A comparison of per hour rates for the new levels is given below:

Level	1988	1990
3 year	\$7.48	\$8.64 (4 year rate)
5 year	\$7.48	\$8.82
10 year	\$7.48	\$8.99

Again those entitled to annual leave will take their 2 weeks during the Christmas Break. Guards entitled to an additional paid weeks (3 & 4 weeks) of annual leave will receive payment during July.



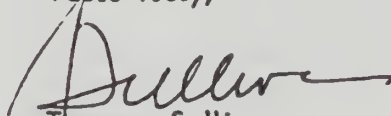
Other changes is the cleaning allowance raised from \$45.00 to \$50.00 per year, and a \$50.00 yearly footwear allowance to replace the issue of winter rubber boots.

The weekly car allowance for spare guards is also raised from \$33.25 to \$34.50 in 1989 to \$36.00 in 1990.

If you would like a complete copy of the terms of employment please contact Diane Buist.

We appreciate the dedication of School Crossing Guards, and changes in uniforms and rates of pay are just a few of the things we hope will improve the conditions of work for you.

Yours truly,

A handwritten signature in dark ink, appearing to read "Sullivan", with a long horizontal flourish extending to the right.

Terence Sullivan,
Inspector,
Community Services Section

Term of Employment for School Crossing Guards,
Administrator, Outside Supervisor:

Hamilton-Wentworth Regional Police

January 1, 1989 to December 31, 1990

School Crossing Guards are employed, except as otherwise provided (ie: summer parks program), for a 10 month period between September 1st and June 30th (41.7 weeks).

Number of Guards 167 permanent
 15 spares
 1 administrator
 1 outside supervisor
 1 contract supervisor

1. Salary

Existing 1988

Year 1: 7.11 p/hr..19.55 daily..97.76 weekly..4,076.70* yearly
Year 2: 7.31 p/hr..20.10 daily.100.52 weekly..4,191.69* yearly
Year 3: 7.48 p/hr..20.58 daily.102.92 weekly..4,292.04* yearly

1989 January
(increase 5.5%)

Year 1: 7.501 p/hr..20.63 daily.103.14 weekly..4,472.95* yearly
Year 2: 7.712 p/hr..21.21 daily.106.04 weekly..4,633.98* yearly
Year 3: 7.891 p/hr..21.70 daily.108.51 weekly..4,741.74* yearly
Year 10 8.535 p/hr..23.47 daily.117.36 weekly..5,363.39* yearly

1989 September
(increase 1.5%)

Year 1: 7.614 p/hr..20.94 daily.104.69 weekly..4,540.05* yearly
Year 2: 7.828 p/hr..21.53 daily.107.63 weekly..4,703.49* yearly
Year 3: 8.010 p/hr..22.03 daily.110.13 weekly..4,812.87* yearly
Year 10 8.663 p/hr..23.82 daily.119.12 weekly..5,443.84* yearly

1990 January
(increase 5%)

Year 1: 8.032 p/hr..22.09 daily.110.44 weekly..4,789.75* yearly
Year 2: 8.258 p/hr..22.71 daily.113.55 weekly..4,962.18* yearly
Year 4: 8.788 p/hr..24.17 daily.120.84 weekly..5,240.56* yearly
Year 5: 8.964 p/hr..24.65 daily.123.26 weekly..5,509.55* yearly
Year 10 9.140 p/hr..25.13 daily.125.67 weekly..5,743.26* yearly

* estimated annual salary including holiday pay

(b) Salary for Administrator and Outside Supervisor:

(i) Administrator:

Paid equivalent to Hamilton-Wentworth Regional Police
Civilian Agreement job class ~~A7~~ 14

(ii) Outside Supervisor:

Paid equivalent to Hamilton-Wentworth Regional Police
Civilian Agreement job class ~~E2~~ 3

(iii) The Administrator and Outside Supervisor are entitled
to all the benefits and conditions of the Civilian
Collective Agreement of the Hamilton-Wentworth
Regional Police.

(iv) The Contract Supervisor is employed under conditions
of a contract independent to this Terms of Employment.

2. Travel Allowance:

(a) Spares:

For 1989, Spares are paid a car allowance of \$34.50 per week, at the
end of the month.

For 1990, Spares are paid a car allowance of \$36.00 per week, at the
end of the month.

(b) Other travel:

Is paid at a rate as set by the Region of Hamilton-Wentworth.

3. Hours of Work - Permanent:

(a) The standard hours of work 2 3/4 hours per day.

(b) Pay for additional hours of work are paid weekly at the hourly
rate level of pay.

(c) The standard hours of work for half day is based on 1.5 hours
of work, and is paid at 60% of the full day rate.

4. Benefits:

If required, full O.H.I.P coverage is paid to permanent and spare
employees.

5. Paid days off

(a) Statutory Holidays:

1989-90

Good Friday
Easter Monday
Victoria Day
Labour Day
Thanksgiving Day
Christmas Day
New Years Day

(b) For Permanent and Spare employees, Mid-Winter Break (1 week) only

(c) A guard working a School Professional Development Day will be paid 1 day pay at the normal pay level.

6. Sick Pay:

(a) Permanent employees accumulate 1 1/2 days a month credit. After six (6) months of employment they will have accumulated nine (9) credit days and are eligible to be paid for sick days (up to the number in their sick bank).

(b) An employee

(1) who retires, and

(2) who was employed,

(i) for not less than ten years and not more than fifteen years is entitled to a gratuity equal to the number of unused days of sick leave standing to their credit at the date of their retirement but the amount of the gratuity is not to be more than an amount equal to their salary or other remuneration equal to one-half of the total number of unused days of sick leave standing to their credit at the date of retirement to a maximum for the 11 week period then last past.

(ii) for not less than fifteen years is entitled to a gratuity equal to the number of unused days of sick leave standing to their credit at the date of their retirement, but the amount of the gratuity is not to be more than an amount equal to their salary or other remuneration equal to one-half of the total number of unused days of sick leave standing to their credit at the date of retirement for to a maximum of the 22 week period then last past.

(3) Where an employee dies while in the employee of the School Crossing Guard Program, his estate is entitled to receive payment of the gratuity in accordance with the provisions of this terms of employment.

(c) To receive sick day credit benefit, an employee who is off two (2) days or more requires a doctor's certificate.

(e) Employees are not eligible for sick benefits until after a probation period of 6 months continuous work.

(f) Spare Guards for the purposes of sick benefits, are considered permanent employees after June 30th, 1987.

7. Vacation:

(a) Employees:

Under 1 year.....4%
Under 5 years.....2 weeks
Over 5 years.....3 weeks
Over 10 years.....4 weeks

(b) Annual leave to be taken as follows;

- i) 2 weeks during Christmas
- ii) remaining week(s) in July

8. Department Responsible to:

(a) The School Crossing Guard Administrator is under the direction of the Inspector of the Hamilton-Wentworth Regional Police Community Services Section.

9. Cleaning and Footwear Allowance:

(a) Cleaning

All employees receive a Cleaning allowance of \$4.50 per month to a maximum amount of \$45.00 per year paid in June.

(b) Footwear

Beginning September 1989, all employees will receive a Footwear Allowance of \$5.00 per month to a maximum of \$50.00 per year paid in December.

10. Uniform Issue

(a) Upon enrollment a School Crossing Guard is equipped with uniform parts and safety equipment. From time to time additional parts and equipment are issued to existing employees.

(b) Upon enrollment:

Parka, winter (x1)
Trousers (x2)
Ties, black (x2)
Cap, flapped, winter (x1)
Safety vest (x1)
Whistle & chain (x1)
Badges, crests etc.

Tunic (x1)
Shirts (x3)
Cap, peaked, summer (x1)
Raincoat (x1)
Mitts, leather, winter (x1)
Stop Sign, handled (x1)

(c) Additional Issue:

Shirts (2 each year)
Trousers (1 each 2 years)
Cap, winter (1 each 4 years)
Parka (1 each 4 years)

Ties (2 each year)
Tunic (1 each 4 years)
Cap, summer (1 each 3 years)
Mitts (1 each 3 years)

Signature?

William McCulloch, Chairman
Hamilton-Wentworth Regional Board of Police Commissioners

1992 JAN. 9- DEFERRED TO JAN. 23
1992 JAN. 23- TABLED

7 (b)

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 December 27

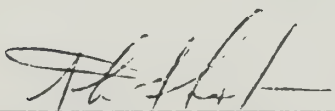
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. John Johnston
Commissioner of Human Resources

SUBJECT: Terms of Employment - School Crossing Guards
(C-003-092)

RECOMMENDATION:

That the terms of employment for School Crossing Guards and Spare Crossing Guards for the years 1992 and 1993, attached as Appendix A, be approved.



John Johnston

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

Approximately \$5,000 (1992) arises from the movement from a five step pay scale to a two step (probationary rate and job rate) pay scale. These costs will be absorbed in the 1992 Traffic Department budget.

BACKGROUND:

Responsibility for the school crossing guard programme was transferred from the Hamilton-Wentworth Regional Police to the City of Hamilton Traffic Department in April, 1990. The guards and spare guards, while under the jurisdiction of the Hamilton-Wentworth Regional Police, regularly received a document outlining their terms and conditions of employment. Appendix A is a similar document, developed by the Traffic Department and the Human Resources Centre. It provides the employer and the guards with reference information on terms and conditions of employment as they exist within the City of Hamilton. Information on wage rates, policies and procedures, clothing and allowances for the positions of guards and spare guards is included.

CITY OF HAMILTON
- RECOMMENDATION -

DATE: 1991 December 27

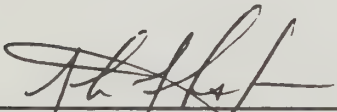
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THE CORPORATION OF THE CITY OF HAMILTON
TERMS OF EMPLOYMENT FOR
SCHOOL CROSSING GUARDS AND SPARE SCHOOL CROSSING GUARDS
FOR THE YEARS 1992 AND 1993

1.0 WAGE RATE AND WORK HOURS:

- 1.1 School Crossing Guards at "full" points and Spare School Crossing Guards shall be paid on a DAILY RATE based on a regular working day of 2.75 hours, as set out below:

	JAN 1992	JAN 1993	JULY 1993
PROBATIONARY RATE:	\$26.000	\$26.780	\$27.048
JOB RATE:	\$26.700	\$27.501	\$27.776

- 1.2 School Crossing Guards at "short" points shall be paid on a DAILY RATE based on a regular working day of 1.65 hours (60% of a "full" point working day), as set out below:

	JAN 1992	JAN 1993	JULY 1993
PROBATIONARY RATE:	\$15.600	\$16.068	\$16.229
JOB RATE:	\$16.020	\$16.501	\$16.666

- 1.3 An employee who, at the request of his or her supervisor, trains another employee shall receive an additional \$5.00 per day for those days spent training, which shall be added to his or her appropriate Daily Rate.
- 1.4 The probationary rate shall apply for a period of six (6) months, excluding July and August, commencing from the employee's start date.

- 1.5 School Crossing Guards and Spare School Crossing Guards do not normally work during July and August except those assigned to work during the "SUMMER CROSSING PROGRAM". See Section 15.0 of these Terms of Employment.

- 1.6 An employee who is assigned to work more then 2.75 hours per day at a "full" point shall be paid for each day on which additional time is worked as follows:

$$\text{Daily Pay} = \frac{\text{Employee's appropriate Daily Rate} \times \text{Hours/Day}}{2.75}$$

For the purposes of this calculation, hours per day shall equal the total time worked during the four school crossing periods plus the duration of the break between the lunch time school dismissal period and the lunch time school entry period if this duration is 15 minutes or less, expressed in decimal hours.

- 1.7 An employee who is assigned to a "short" point and who is assigned to work more then 1.65 hours per day during the two (2) school crossing periods shall be paid for each day on which additional time is worked as follows:

$$\text{Daily Pay} = \frac{\text{Employee's appropriate Daily Rate} \times \text{Hours/Day}}{1.65}$$

For the purposes of this calculation, hours per day shall equal the total time worked during the two school crossing periods, expressed in decimal hours.

- 1.8 An employee who is assigned to a "short" point and who works an additional crossing period at the "short" point or a lunch time crossing period at another point, shall receive the appropriate "full" point Daily Rate for the days on which this occurs.
- 1.9 School Crossing Guards who work on School Board designated Professional Development days and Spare School Crossing Guards shall be paid for each Professional Development day at their appropriate Daily Rate.

- 1.10 Spare School Crossing Guards shall receive pay for days on which they are available to work but do not work. However, notwithstanding the above, Spare School Crossing Guards shall not receive pay for days on which they are unavailable for work, unless they are recorded as "sick" and are drawing from their sick bank.

2.0 STATUTORY HOLIDAYS:

- 2.1 Statutory holidays shall be paid at the employee's appropriate Daily Rate, in accordance with the Employment Standards Act (Ontario), as follows:

Good Friday	Thanksgiving Day
Easter Monday	Christmas Day
Victoria Day	Boxing Day
Canada Day	New Year's Day

- 2.3 An employee shall not be paid for any Statutory Holiday,
- a) if he or she has been absent without good cause, as determined by the Employer, on the scheduled working day immediately preceding or following such Holiday; or,
 - b) if he or she has not been employed by the Employer for at least thirty (30) continuous days; or,
 - c) if he or she does not earn wages on twelve (12) days of the four (4) weeks preceding the holiday.

3.0 VACATION:

- 3.1 The March School Break shall be paid at the employee's appropriate Daily Rate of pay.

- 3.2 Vacation time shall not be provided, but shall be paid out at an employee's appropriate Daily Rate of pay, based on years of service as follows:

1992	1993	Vacation
less than 1 year	less than 1 year	4% of earnings
less than 5 years	less than 4 years	2 weeks
over 5 years	over 4 years	3 weeks
over 10 years	over 9 years	4 weeks

- 3.3 An employee whose working day changes between a "full" point and a "short" point shall have his or her annual vacation pay adjusted in the year of the change, such that the vacation entitlement will be paid out partially at the "full" point rate and partially at the "short" point rate based on the proportion of months the employee was employed at each rate.
- 3.4 Vacation entitlement up to and including the first two (2) weeks vacation shall be paid out during the Christmas break. The balance of any vacation entitlement shall be paid out in July.

4.0 SICK LEAVE:

- 4.1 Permanent employees accumulate 1 1/2 days sick leave credits per month excluding the months of July and August, up to a maximum of fifteen (15) days sick leave credit per year.

Employees absent for a period in excess of one (1) day are not entitled to the 1 1/2 days sick leave credit.

Where the absence is for a period of not more than three (3) days where such days extend from one calendar month to the next calendar month, the loss of the 1 1/2 day sick leave credit shall only apply to the preceding month.

- 4.2 A permanent employee who has six months or more employment is eligible to draw from his or her sick bank up to the number of days accumulated.
- 4.3 An employee who is eligible for paid sick leave and is off for more than two (2) days must submit a medical certificate for the third day of absence in order to be paid for sick days (up to the number of days in the employees sick bank.)

- 4.4 School Crossing Guards at "full" points and Spare School Crossing Guards are entitled to take up to four (4) School Crossing Periods off for MEDICAL appointments, without using his or her sick bank and without loss of pay.
- 4.5 School Crossing Guards at "short" points are entitled to take up to two (2) School Crossing Periods off for MEDICAL appointments, without using his or her sick bank and without loss of pay.
- 4.6 Any absence of less than one full day will be recorded to the nearest quarter day.
- 4.7 Any absence of one full day will be recorded as a full day absence.
- 4.8 Deductions from an employee's sick bank will be adjusted to the nearest half day.

5.0 SICK LEAVE GRATUITY:

- 5.1 An employee who ceases employment as a School Crossing Guard or a Spare School Crossing Guard and who was employed:
 - i) for not less than seven years and not more than twelve years is entitled to a gratuity equal to one half the number of unused days of sick leave standing to his or her credit at his or her appropriate Daily Rate of pay for the year in which employment ceases, provided that in no case shall the amount of the gratuity be more than an amount equal to his or her salary or other remuneration for the immediately preceding sixty-five (65) days excluding the months of July and August;
 - ii) for not less than twelve years is entitled to a gratuity equal to one half the number of unused days of sick leave standing to his or her credit at his or her appropriate Daily Rate of pay for the year in which employment ceases, provided that in no case shall the amount of gratuity be more than an amount equal to his or her salary or other remuneration for the immediately preceding one hundred and thirty (130) days excluding the months of July and August.
- 5.3 An employee whose working day was changed between a "full" point and a "short" point shall have his or her sick leave gratuity calculated partially at the "full" point rate and partially at the "short" point rate, based on the proportion of years the employee was employed at each rate.

- 5.4 When an employee ceases to be employed as a School Crossing Guard or as a Spare School Crossing Guard but continues to be employed by the Employer in an uninterrupted fashion,
- i) the number of unused days of sick leave standing to his or her credit, earned under this terms of employment, is not transferable.
 - ii) the employee may apply for sick leave gratuity under this Terms of Employment.
- 5.5 In the event that an employee dies while in the employ of the Employer, his or her estate is entitled to receive payment of the gratuity in accordance with the provisions of the current Terms of Employment.

6.0 BEREAVEMENT LEAVE:

- 6.1 Three (3) regularly scheduled consecutive work days bereavement leave, without loss of pay on the death of a spouse, common-law - spouse, child, parent foster or adopted parent, grandparent, grandchild, brother or sister, parent-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law. Such leave to be taken at the time of that bereavement or at the time the employee receives notification of that bereavement. Proof of bereavement may be required by the Commissioner of Human Resources.

7.0 CLOTHING AND ALLOWANCES:

- 7.1 Uniforms shall be provided by the Employer; except that all Guards shall provide their own footwear acceptable to the Employer.
- 7.2 All Spare School Crossing Guards and School Crossing Guards shall receive \$5.00 per month worked Footwear Allowance, up to a maximum of \$50.00 per year.
- 7.3 The issued uniform shall be worn as prescribed by the Employer.
- 7.4 All Spare School Crossing Guards and School Crossing Guards shall receive \$5.00 per month worked Cleaning Allowance, up to a maximum of \$50.00 per year.
- 7.5 The uniform remains the property of the Employer and must be returned upon termination or when requested.

- 7.6 All Spare School Crossing Guards shall receive \$38.00 per week; (\$7.60 per day) Travel Allowance; except that \$7.60 shall be deducted from said amount for every full day on which he or she is not available for work.
- 7.7 Any School Crossing Guard who works temporarily at a location other than his or her regularly scheduled location, as requested by his or her supervisor, shall receive \$2.50 per school crossing period Travel Allowance if he or she is required to use his or her own vehicle.
- 7.8 Travel allowance shall be paid once per month.
- 7.9 Travel allowance shall not be paid to any Guard working during the SUMMER CROSSING PROGRAM.

8.0 MEDICAL TESTING:

- 8.1 The Employer reserves the right to require the employee to undergo medical testing only to ascertain the employee's ability to discharge his or her duties. The testing shall not be conducted in a discriminatory manner.
- 8.2 When an employee is requested to undergo medical testing it shall be mandatory and it shall be conducted at a place chosen by the Employer and at the Employer's expense.
- 8.3 Failure to submit to medical testing will result in suspension and/or dismissal.
- 8.4 Should the results of an employee's medical testing result in a medical opinion that the employee is "unfit" to discharge his or her duties then the employee will be suspended without pay until such time as the employee is considered to be "fit" to return to duty, as determined by the Employer and the agencies conducting the medical testing on behalf of the Employer.

- School Crossing Supervisors
Community Traffic Services Section
Traffic Department
City of Hamilton.
Telephone Number 546-2200

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- 12.2 An employee working during the "SUMMER CROSSING PROGRAM" shall not earn sick leave credits nor be able to use sick leave credits during his or her employment as a "SUMMER CROSSING GUARD".
- 12.3 Sections 7.2, 7.4, 7.6 and 7.7 of this Terms of Employment are not applicable to "SUMMER CROSSING GUARDS".

13.0 DEFINITIONS

- 16.1 The following words are defined as used in this Terms of Employment:

School Crossing Guard - any individual hired by the Employer to fulfil the mandate of the job description of the position of School Crossing Guard. School Crossing Guards are assigned to a point on a permanent basis.

Spare School Crossing Guard - any individual hired by the Employer to fulfil the mandate of the job description of the position of Spare School Crossing Guard. Spare School Crossing Guards are not assigned to a point on a permanent basis but must be available on all school days to "fill in" at points when required.

Employee - any individual hired as a School Crossing Guard or Spare School Crossing Guard by the Employer.

Employer - The Corporation of the City of Hamilton.

A "full" point is a location where a guard is assigned to work during the morning entry, lunch dismissal, lunch entry and evening dismissal school crossing periods.

A "short" point is a location where a guard is assigned to work during the morning entry and evening dismissal school crossing periods only.

SUMMER CROSSING PROGRAM - The use of Crossing Guards to cross children during the non-school months of July and August.

SUMMER CROSSING GUARD - A School Crossing Guard or Spare School Crossing Guard who has volunteered and been accepted by the Employer to work during the SUMMER CROSSING PROGRAM.

14.0 CHANGES TO THESE TERMS OF EMPLOYMENT:

- 14.1 This document is intended as information and is subject to change by the Employer.

CITY OF HAMILTON
- INFORMATION -

8

DATE: 1992 February 11

REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

FROM: Mr. G. Baker
Fire Chief

SUBJECT: Staffing Complement - Hamilton Fire Department

BACKGROUND:

I have investigated, and am prepared to implement alternative procedures to our present system of delivering emergency protection services.

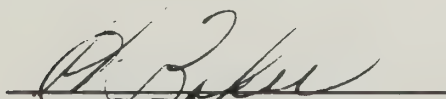
Through reorganization and reassignment of tasks the staff complement can be reduced by 22 positions, through attrition (from 501 to 479). I am confident this reorganization will maintain appropriate levels of service for the safety of all Hamilton citizens while obtaining the most cost effective use of available resources.

Implementation of these changes is proposed to coincide with the early retirement of fire department staff on June 30 of this year.

FINANCIAL IMPLICATIONS:

By not filling these positions, there will be a reduction of \$542,900. in Salaries and Benefits for the 1992 Current Budget.

In addition in 1993, the annual savings is estimated at \$942,830. After three years, the annual savings is estimated to be in excess of \$1,300,000.


G. Baker

c.c. Mr. J. Pavelka, Acting Chief Administrative Officer
Mr. R. Hammel, Acting Treasurer



CITY COUNCIL
HAMILTON, CANADA

9

----- Alderman Don Drury

71 MAIN STREET WEST L8N 3T4 • (416) 546-2730 • RES. (416) 545-7077 - WARD 3

1992 January 27

Mr. Steve Dembe
Licence Administrator

Dear Steve:

Re: Canadian Taxi Association

The Canadian Taxi Association appears to be a viable ongoing entity as per the attached copy of their business newsletter Cab Fare.

On the back page of the newsletter is the application form for membership.

I would be most appreciative if you would bring this matter to the Finance and Administration Committee so that the City of Hamilton could join the Canadian Taxi Association and thus gain valuable insight to the industry and pick up ideas from other jurisdictions.

Sincerely,

Don Drury
Alderman, Ward 3

DD:jf



CAB FARE

Volume 3, No. 3

A Business Newsletter For The Canadian Taxi Trade

September 1991

Second Annual Convention

While it would have been nice to see more of you turn out, the CTA's second annual convention drew enough members to confirm that there is still an active interest in keeping this association alive.

In all, close to 30 CTA members from six of the ten provinces met in Montreal June 13 and participated in two days of intensive discussions covering a range of issues including taxi insurance, government regulation, unions and the GST.

Our primary concern during the convention, however, was obtaining a consensus that there is still a value in maintaining and building a strong national association representing your concerns as taxi operators. The conventioners voted unanimously to continue their support for the CTA and all of them pledged to actively solicit more members from every corner of the country.

The participants also agreed that *Cab Fare* was the best available vehicle for extending the CTA's influence and making people in the industry aware of the association and what it represents.

New CTA president Gordon MacLean, of Richmond B.C., was installed and a new director Martha Ferguson of Yellow Cab in Hamilton, Ontario, was added to the board. (All of your 1991 CTA Board of Directors is listed on the last page.)

The board decided the dues structure would remain unchanged for the coming year and *Cab Fare* would like to remind most everyone that those dues are DUE! It is now very nearly 1992 and we have yet to receive 1991 dues from many of our members. If you have not yet paid, please make a point of doing so today. You will find an application form for new members on the last page of the newsletter and this can be used for membership renewals as well.

During the convention, Toronto participants received word by telephone that the Ontario Taxi Union had applied for certification of nine of the city's thirteen brokerages. (See *union story*, page 4, inside).

Needless to say, this news occasioned a lot of discussion about unions in the taxi industry and the impact they can have on operations. CTA members Wayne French from Ottawa, Albert DiCasa from Hamilton, and Mike Donnelly from Peterborough all related interesting stories about their dealings with unions generally.

While this trend appears to be restricted to Ontario for the moment, it's widely agreed that union activity will likely spread and cab operators in every part of the country have reason for concern.

The convention concluded on a very hopeful note with participants confident in the CTA's future and grateful for the opportunity to meet with fellow cab operators to exchange ideas.

It was agreed that next year's convention will be held in Vancouver and the 1993 convention will likely travel to the Maritimes.

Cab Fare would like to publicly thank Gilles Leveille and the Montreal Taxi League for being such terrific hosts. It was their wonderful city and hard work that guaranteed the convention's success.

INSIDE THIS ISSUE

- Insurance Rates - across Canada
- Insurance Tips
- Taxi Union Activity in Toronto
- Tax Revolt? Small Town Style
- Marketing in Saskatchewan.
- Our New President's Column.
- Viewpoints - Regulators and Their Ideas
- The Editor's Column.
- Your New Board of Directors.

Cab Fare is a publication of the Canadian Taxicab Association for distribution to the Canadian Taxicab Industry.

Distributed by the Secretary:

- Bruce Bell,
251 Queen Street East,
Toronto, Ontario, Canada
M5A 1S6

Telephone: (416) 366-9713 or
Fax: (416) 366-6753

Photocopying is allowed
..... and encouraged!!!

In The Next Issue

- CTA to start a video rental service for driver training. Gord Wheaton, Fredericton, N.B. will co-ordinate.
- De-regulation coming to Chicago by 1997.
- Advertisements for taxi industry needs.

Insurance Rates - Cab Operator's Nightmare?

Getting insurance to operate a taxi tends to be a headache for cab operators right across the country. Since the early 1980's operators have been increasingly alarmed by the cost of purchasing insurance, a problem exacerbated by an apparent trend in the insurance industry to get out of the business of insuring taxis all together.

The insurance industry has done little to waylay these concerns. It is a huge industry with widely diversified interests and it has seldom been very forthcoming about how those interests interact.

Asked why vehicle insurance has become so costly, most insurance companies complain of escalating costs but appear to stall when asked for a specific loss ratio. Apparently, there is no such thing as a simple statement of profit and loss. They complain of high taxes (admittedly among the heaviest in the financial services sector) or point to huge court awards and rising vehicle repair costs.

Cab operators, however, can point to other trends that would seem to indicate declining premiums are in order. Most have cracked down on driver screening and training and many now run intensive risk management programs that have reduced accidents. There has also been a general decline in the number of deaths and serious injuries resulting from car accidents in recent years thanks to seat belt laws and reduced speed limits.

This kind of conflicting evidence makes understanding vehicle insurance difficult and the picture only gets more confused as you pull back and take a look at how insurance operates in different parts of the country. Four provinces, British Columbia, Saskatchewan, Manitoba and Quebec have government insurance programs (no two of which are alike) while the rest of the country's cab operators insure through private enterprise insurers.

Here again, however, there are differences, with some provinces, such as Ontario, on a "No Fault" system while others, like New Brunswick still use the traditional open market system.

Rates across the country vary widely although, for taxis, most municipalities require the same \$1 million minimum Public Liability and Property Damage (PLPD) coverage. Not surprisingly, the most expensive coverage in the country was found in Toronto where fleet operators can pay \$9,500 and up for \$1 million PLPD with no collision. The cheapest rates for large urban centres, on the other hand, were to be had in Quebec where cab operators can purchase packages combining government and private enterprise insurance for as little as \$2,000, thanks to a government compensation scheme for personal injury awards.

Because insurance is such a complicated topic this will be only the first of many stories *Cab Fare* intends to devote to the subject. There is a lot of information to be sought and processed and most of it will have to come from CTA members. In this issue we intend merely to survey the rates and kinds of coverage operators are getting and (hopefully) in future issues we will tighten the focus to give you a more detailed look at how insurance works in different provinces.

This said, here is what we found:

Nova Scotia:

Halifax Taxi Bureau vice president Charles Laviolette told us most operators in the city are single car owner-operators, almost always the cheapest operators to insure. Halifax, with a population of over 200,000, requires a minimum \$1 million PLPD and Laviolette said most of his friends pick up comprehensive and collision as well. After 28 years in the business Laviolette gets this coverage for \$1,400 a year with a deductible of \$250.

New Brunswick:

Gordon Wheaton, President of Trius Inc. in Fredericton, insures a fleet of 40 cars for under \$2,000 a vehicle. For this he gets \$2 million PLPD (the Fredericton minimum) with a deductible of \$2,500. He doesn't carry collision or any of the "all perils" coverage. Fredericton has a population around 50,000.

Quebec:

Montreal Taxi League president Gilles Leveille says he once took a survey of taxi insurance rates in major market North American cities and found Montreal's to be the cheapest anywhere. The system, unlike any other in the country, combines government and private insurance. The provincial share costs operators \$235 and protects them for liability and personal injury. The private insurer portion of their coverage costs an average of \$1,800 for \$300 deductible on collision and property damage. Quebec uses a No Fault system.

Ontario:

Thunder Bay; Ed Cordone, manager of Roach's Taxi, said they get \$1 million PLPD fleet coverage for around \$4,600 a car. They also pay another \$1,300 to get collision for a few of their newest cars. Thunder Bay's population is about 115,000.

Niagara Falls; Kathy McMurray, manager of Niagara Falls Taxi, said their rates dropped \$1,000 this year to \$5,100 a car for \$1 million PLPD. Although most of the drivers own their cars privately they purchase their insurance cooperatively. The rate includes collision with a \$500 deductible. McMurray attributed the cheaper rate to Ontario's new No Fault system and her company's intensive defensive driving and driver screening program.

Sudbury; Lockerby Taxi president Ken Flinn said the average operator there picks up \$1 million PLPD for between \$3,000 and \$4,000. Few bother with collision although fire and theft is cheap enough for most owners to carry it. Flinn's rates, however, on a fleet of 15 cars run him about \$2,100 a car because of his company's low loss ration on claims.

Toronto; According to Diamond Taxi president and *Cab Fare* editor Bruce Bell the average single car/single driver rate for \$1 million PLPD is \$4,500 to \$4,700. Vehicles with two named drivers average \$6,700 to \$7,000 while fleet operators can pay \$9,500 and up. For these rates Toronto operators are getting no deductibles but no collision either.

Insurance Rates (Continued)

Manitoba:

This is another of the government run No Fault programs. Winnipeg's Unicity Taxi operator Fred McGinnis said they are required to have \$1 million PLPD for which they pay \$3,800 with collision. The basic coverage provides a deductible of \$450 but McGinnis said they take out an additional policy from a private insurer to bring the deductible down to \$250. Although he describes the system as relatively "hassle free" McGinnis said their rates have nearly tripled in the past three years.

Saskatchewan:

Saskatoon's Radio Cabs manager Gerry Adams said operators there are not very happy with the province's insurance program. The rates are costly and the government does not provide the operators with any kind of accounting of how their annual fees are being spent. They pay a \$1,837 annual license fee but Adams has never found out what percentage of this fee goes into the provincial insurance pool. This gives them collision with a \$600 deductible and up to \$200,000 in liability. They then must get another \$1 million in liability from a private insurer which costs Radio Cabs 60 car cooperative \$495 per vehicle.

Alberta:

This cab operator asked not to be identified for fear of tipping off their local competition. They are located in a major market where they must have \$1 million PLPD which their large fleet is able to self-insure for the first \$500,000. For this they pay \$3,600 a car. Because the drivers operate in a cooperative to fund the self-insured portion of their policy they have strict driver screening.

British Columbia:

According to Vancouver Taxi Owners Association manager Barry Hinder, the province offers rates of between \$5,500 and \$7,700 for \$2 million PLPD. This rate includes collision with a \$500 deductible. Although their rates are relatively steep, Hinder said they are probably getting what they deserve. He said the province reports that it pays out \$1.35 for every \$1 it receives in premiums.

Are You Doing The Right Things?

CTA member Gordon Wheaton of Fredericton, N.B. has volunteered to take on the onerous task of monitoring the insurance industry so that he can try to keep CTA members up to date on this essential issue.

Like many cab operators, Wheaton has made it his business to be informed about the insurance industry but it seems you're never too old to learn a few new tricks.

Wheaton's latest lesson in the idiosyncrasies of the insurance business came at the expense of a rather rude awakening. This summer, after insuring Trius Inc. with General Accident Assurance for 20 years, Wheaton was given fifteen days notice that his rates were going up 70 percent.

"Apparently there's very little loyalty in the insurance business. If any existed we should have got it after 20 years," says Wheaton.

As it turned out, Wheaton found another insurance company that was willing to take them on at their old rate but he doesn't intend to be caught off guard again. From now on, Wheaton says he'll assume nothing beyond the terms of his current policy.

Next year, says Wheaton, he intends to get out and shop the competition's rates long before the policy expires. He suggests fleet operators give themselves a *minimum* of sixty days because it takes time to collect all the driving abstracts and other records insurance companies will probably want to see.

Here are a few more tips Wheaton has passed along to help you keep your rates as low as possible:

- Qualify your drivers and give preference to drivers over 25 with previous commercial driving experience.
- Check their references, you'll be surprised what you will find.
- Get a driver's abstract, thoroughly review it and keep it on file for updating every year.
- Test drive all applicants to check their driving skills! Look for the following: Are they nervous? Do they make you nervous? Do they maintain a proper following distance (at least two to four seconds)? Do they give you a smooth ride? Do they have a good attitude and receive instruction well? Do they drive too fast or too slow?
- Institute a safe driving program and reward drivers who are accident free.
- Self-insure for collision unless you cannot withstand a write-off.
- Establish and maintain deductibles to reduce claims and paperwork for the insurer. (It costs an insurance company about \$1,000 in administration and related costs just to open a new file.)
- Eliminate the "All Perils" coverage on your policy or reduce it to fire and theft.
- Before switching insurance companies ask your fellow operators what they know about the company's history and be sure that it is reputable.
- Attempt to make your agent's life easier by investigating and settling on your own as many claims as possible.
- Claims settled quickly are usually less costly.
- If you are not already a member, join the Canadian Taxicab Association so that you can meet other professional cab operators and seek their advice.

Taxi Driver Unionization Efforts in Toronto

Toronto cab operators were stunned this summer when eight of the city's thirteen brokerages were served notices of application by the Retail, Wholesale and Department Store Union, AFL-CIO:CLC, (commonly called the "Ontario Taxi Union") to certify their drivers for collective bargaining.

Most Toronto cab companies have always considered taxi drivers to be independent contractors who lease vehicles from owners for their own purposes and it is this issue that local cab operators have fixed on as the main thrust of their dispute with unionization of drivers generally.

(The union applications do not include the various classes of inside workers. At the present time, only drivers, single car owners and lessees are being organized.)

The term "brokerage" in Toronto is interchangeable with "taxi dispatch service companies" and they own very few, if any, of the taxis operating in their name. The crux of the debate hinges on whether or not the brokerage companies actually wield much influence over the drivers' economic prospects and the

degree of control that they can exercise.

Ontario labour law recognizes two types of contractor — independent and dependent — but only dependent contractors are allowed to organize for the purposes of collective bargaining. An independent contractor is a self-employed entrepreneur who relies on his own devices for obtaining customers. The dependent contractor is also deemed to be self-employed but is dependent on one source for a goodly portion of his work.

An analogy might be that of someone who *owns* a tractor trailer. If he relies on only one company for most of his loads then he may be deemed a "dependent contractor" and be entitled to join a union as would any other employee. If he hauls goods from a number of different sources, however, he would probably be classified as "independent" and therefore not allowed to unionize.

It will be up to the Ontario Labour Relations Board to decide which of these categories best describes cab drivers in Toronto. The union has succeeded in establishing dependent contractor status for cab drivers in Ottawa, Peterborough,

Oshawa, Hamilton and Brockville and possibly other towns we have yet to hear about. Toronto operators, however, hope to convince the labour board that Toronto drivers are free agents since much of their income is derived from the street "flag" business and not the dispatch service.

The union, on the other hand, contends that the Toronto drivers are economically dependent on — and controlled by — the brokerages to which they subscribe.

As a consequence of the union's applications, the labour board supervised a vote August 13-14 for all drivers listed with the individually named brokerages.

The ballot boxes were sealed immediately upon completion of the vote and probably will not be opened before the larger legal questions are resolved.

In fact, those votes may all have been cast for nought if the labour board deems the drivers to be independent contractors.

When the final decisions will be made is impossible to predict but we will keep you posted as developments unfold.

Tax Revolt - Blenheim, Ontario!

No one in the cab industry is a fan of the GST and when we heard that merchants in the southwestern Ontario town of Blenheim staged a tax revolt this summer we were curious if local cab operators followed suit.

Bell Telephone's directory assistance directed us to Golden Acres Taxi and when we called we got an answering machine. It turns out Blenheim's 4,500 residents rely on the services of David Logan, sole owner and operator of Blenheim's only taxi.

Logan agrees the GST has been a nuisance in terms of bookkeeping and administration but his real gripe with Ottawa is how the politicians spend the money after it's collected.

"I don't mind the government collecting it but are they going to pay down the deficit? If that was their only objective I could live with it," maintains Logan.

As for the "tax revolt" played up in the national media, Logan dismisses it as a local business promotion.

"It's just a sales gimmick. Everybody comes downtown to shop and the merchants pay the tax later out of their own pockets.

"I did a pretty good business that day," says Logan.

But did his customers have to pay the GST?

"Sure. It's hard enough to make a living. I don't need to start giving discounts."

Advertising in Cab Fare

Beginning in the next issue of Cab Fare we plan to open our pages to advertising from some of the many businesses that serve the taxi industry.

As you can imagine, producing a bi-monthly newsletter is an expensive exercise and we anticipate that a limited but relevant assortment of display ads could defray a sizeable portion of our costs and provide a valuable service to many of our members.

Cab Fare has received requests from taxi operators who would like to see a sampling of the industry's national suppliers represented in the newsletter and those suppliers should be advised that Cab Fare is one of the most effective ways for them to reach new customers.

If there is someone you do business with who might profit from advertising in Cab Fare ask them to contact CTA Secretary Bruce Bell, 251 Queen St. East, Toronto, Ontario, M5A 1S6.

Viewpoints: Taxi Regulators versus Taxi Operators

Hickling Report: prepared for Ottawa/Carleton Regional Municipality December 1990

Whenever regulators call in consultants to study the taxi industry and recommend changes there is often a suspicion on the part of those in the industry that the consultants' real job is to tell the regulators what they want to hear.

If you read a recent study prepared for the region of Ottawa Carleton by the Hickling Corporation you would have found little to waylay this suspicion.

Municipalities in Ottawa Carleton have proposed giving up jurisdiction over taxis to the region and the study was commissioned to ease the transition and to recommend methods to regulate the diverse interests of rural and urban operations.

To this end Hickling was asked to devise a formula for gaging taxi demand and adjusting rates. Much of the report is devoted to issues and concerns specific to the region but Hickling gets into some general theory that should interest CTA members.

The report begins solidly enough when it notes the "significant stake" municipalities have in maintaining a healthy and efficient taxi industry. Not only will the populace receive good service, notes Hickling but the general economic health of the region will be served as well because of the increased ability to move freely and conduct commerce with other regions.

A strong cab industry, according to the report, lowers the cost of doing business for everybody.

There is an obvious bias built into the report, however, which becomes apparent very early and undermines many of the consultants' ensuing recommendations.

That bias is Hickling's *assumption* that Ottawa Carleton plate values (estimated to be as high as \$55,000 in the City of Ottawa and less in outlying jurisdictions) are a direct reflection of "abnormally high level of profit in the taxi industry". In other words, the higher the plate values, the more inflated the industry's profits.

At one point the study notes the regional municipality's stated desire to see plate values *eliminated* and readers

of the report cannot help wondering if the study's underlying purpose was to create a rationale in support of that end.

Although considerable research has obviously gone into the study, the consultants produce *no evidence* to support their contention that plate values rise in proportion to "excess" profits in the industry. Having made this leap of faith, the consultants use it to explain numerous other claims posed in the study.

Some of the more prominent claims compromised by Hickling's theory include: the suggestion that rising plate values are a "key sign" of improvements in industry efficiency; plate values are a measure of the degree to which meter rates are inflated beyond costs and "a normal rate of profit;" plate values indicate that cab demand in Ottawa has been on the increase despite no appreciable increase in the city's population.

All of which makes for interesting reading but the Hickling report has very serious implications for Ottawa Carleton plate owners who stand to lose a lot of money if the region moves on the investment. When the stakes are this high, the integrity of Hickling's research should be above reproach.

Luxury Taxi Sedans In Winnipeg

Readers of Cab Fare may remember Terry Smythe of the Manitoba Motor Transport Board. It was Smythe who put us onto Calgary's luxury sedan class taxi service and he had high praise for what the service had done for the cab industry there.

What the Manitoba regulatory official failed to mention was that he and MMTB chairman Don Norquay, are attempting to implement a similar service for Winnipeg.

While Smythe and Norquay seem to think the luxury sedans are the way of the future, however, Winnipeg cab operators are up skeptical about the plan.

According to Unicity Taxi board of directors secretary Fred McGinnis, the scheme is probably the worst thing that

could happen to the cab industry in Winnipeg.

"Winnipeg just isn't a cab town. If you look around downtown during rush hour nine out of ten cars have only one person in them. People here want the right to drive their own cars," says McGinnis.

The number of cabs in Winnipeg has been frozen at 400 since World War II and the combination of minimal population growth and competing interests such as couriers and improved public transit have kept that number pretty fairly balanced with demand. In fact a recent study determined the average response time for cabs in Winnipeg was seven minutes, fast by any standard.

Everything about the scheme irks the cab operators but it's the bureaucrats' complete indifference to current economic circumstances that really gets Jim Martin, manager of Duffy's Taxi.

"When we mention the current recession they're not even interested. This summer is one of the worst anyone can remember, and even if they had to go ahead with it, this is the worst possible time," says Martin.

The MMTB's plan is to launch 60 new vehicles, 40 luxury cars, 10 executive cars and 10 wheelchair accessible vehicles, each for a marginal license fee of \$100.

No one is clear exactly what constitutes a luxury or executive class vehicle and the MMTB is still accepting proposals from potential operators. The first vehicles will be on the road in the New Year.

Although the MMTB plans to establish a higher tariff for the luxury cars, both Martin and McGinnis fear the requirement isn't likely to survive very long.

Continued on Page 7

Winnipeg (Continued)

"They tried this in Alberta and they had to drop the rates to make it viable. If (the MMTB) just dug a little deeper they'd find out it doesn't work.

"This is just another way to get 60 more cabs on the road," concludes McGinnis.

It's also a very cheap way to cut in on a sizeable investment.

"In two years those (new \$100 plates) will be transferable. If you have the right connections you can probably pick up a car that meets the specs for \$10,000, pay your \$100 license fee and two years down the road you've got a plate worth \$50,000. That's quite a return on your investment," says McGinnis.

Assuming, of course, the scheme doesn't drive down the value of plates for everyone in the industry.

Martin says they have now exhausted most of the avenues available to fight the scheme and their last hope rests with their lawyers.

"The (MMTB) thinks this won't adversely effect us. Norquay says there's a segment of the population that don't use taxis and want a better service and he plans to go ahead," says Martin.

Update: Taxi Meters Kingston, Ontario

Taxi rates were converted from zone to meter rates as scheduled on July 1st.

According to Kingston cab operator Don Edmunds the new system has met with a favourable response from the cab riding public.

"Our customers definitely find the new system easier to understand," says Edmunds, president of Amherst Taxi.

Even Amherst's rural customers, many of whom must pay more under the new rate scheme (\$2.15 Drop; 10 cents each additional 150 meters; GST included), are comfortable with the switch, according to Edmunds.

However, Kingston cab drivers hope that provisions for charging more for shared rides will be made when the new rate system is introduced.

The Last Word

By Bruce Bell, Diamond Taxi, Toronto



This issue of *Cab Fare* should have been ready and distributed in August. However, a series of events caused many delays and for these I apologize.

Firstly, if you have read page four, you may understand why I, as a cab operator in Toronto have been quite busy preparing other materials for presentation to the Ontario Labour Relations Board.

(It just occurred to me that many of you who have only heard of me through *Cab Fare* may not know my connection with the taxi industry. I am a 56 year old, second generation taxi person who now heads up Diamond Taxi brokerage - a company which provides a computerized dispatching service for 610 taxis. I was quite literally born in the taxi business - my father started driving cab in 1926. Except for the years of my education and a ten year stint in the RCAF, I have been constantly and actively involved in the industry as a mechanic, single car night shift driver, a 25 cab fleet operator, and for the past fourteen years, as president of Diamond. I have total commitment to taxis and their operation. In addition to serving with many local taxicab associations, I have had the pleasure of serving as a Vice-President of the ITLA, have travelled all over the USA, a goodly portion of Canada, and as far afield as Australia and Europe, visiting and meeting with taxi operators wherever I have been. Just thought that I would throw that in, now on with the article). . . .

Secondly, our intrepid reporter, Mr. Bill McQuat, who many of you have had occasion to talk with, had a bad car accident and injured his knee. (He is now doing quite well, thank you for asking.)

For both of the above reasons - we are late - but better late than never. I should also explain how *Cab Fare* is prepared. Bill, an experienced free-lance writer, researches various stories across Canada by telephone, and then writes drafts of those stories for my approval.

Then, with this prepared material, I go to my trusty computer to do the layout and final editing. My labours are volunteer, mostly self taught, part-time and not very fast. Bill's labours are not; they are professional and paid from CTA's revenues as are the substantial telephone bills, reproduction costs and mailings. I long for the day when our Association can be financially independent enough to both represent you in a very professional capacity and to allow a more qualified person to take over my job as editor - that, of course, is why we keep pleading for your financial (and moral) support. It always makes my day when I receive a cheque and a new member's application in my mail.

So, go ahead, make my day!

I was surprised to hear at our recent Convention that some of you had missed the point that the application form on the back page is also supposed to be used for membership *renewal*. I hope that, with this issue, I have corrected this mis-conception. The CTA simply does not, at this point, have the volunteer time and labour pool to invoice you when annual fees are due. God knows that no one in this business has very much spare time on their hands, but we *need* you to volunteer some small portion of your valuable time to offer your support by taking care of the duty of mailing in your appropriate annual dues along with an updated application form.

For many of you, across Canada, I have mailed the first two issues of *Cab Fare* and have not received any acknowledgement that they have been received, or that they are of any value to you. I will continue to do so until you tell me to stop, but we would appreciate your support for the CTA to show your fellow cab operators that you care about the very interesting business that we share. I will try, but will not promise, that you will receive another issue between now and Christmas.

I have a few more articles "in the bank" for next issue, but your further input will always be welcome.



Board of Directors for 1991/92

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Gordon MacLean
Richmond Cabs
Richmond, B.C.

Exec. Vice President:

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Central Taxi Ltd.
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Director:

Bill Oag
Veteran Cab Co.
Windsor, Ontario

New Application For, Or Renewal Of, Membership

TO THE BOARD OF DIRECTORS, CANADIAN TAXICAB ASSOCIATION:

I/We hereby apply for Membership in the Association and any benefits or information that may derive therefrom.

Full Company Name: _____

Contact Person: _____

Position Held: _____

Address: _____

(Note: Please Print or Type -
and enclose a Business Card
(if available)

Postal Code: _____

Phone(s) Area Code (_____) Taxi; _____ Admin; _____ Fax; _____

Total number of taxis for which this application is submitted _____ Dues Payable: _____

(Annual dues are \$100.00 Minimum, OR \$10.00 Per Car, OR \$1,000.00 Maximum)

Our cheque is enclosed for \$ _____ Payable to:

Signature: _____

Date: _____

(Before completion, please photocopy, and pass on to other interested taxi industry people that you may know in your area . . . Thank You)

Canadian Taxicab Association
Bruce Bell, Secretary,
c/o Diamond Taxicab
251 Queen Street East
Toronto, Ontario
M5A 1S6

CITY OF HAMILTON
- RECOMMENDATION -

10(a)

DATE: 1992 January 30 JAN 30 1992
REPORT TO: Mr. J. D. Thompson, Secretary
Finance and Administration Committee
FROM: Mr. I. R. Hammel
Acting Treasurer
SUBJECT: PROPOSAL FOR TIVOLI THEATRE

RECOMMENDATION:

- a) That the Finance and Administration Committee not support the request of the Tivoli Foundation for a loan guarantee from the City in the amount of \$100,000,
- b) That the Tivoli Foundation group continue discussions with the Manager of Purchasing and the Managing Director/CEO of HECFI, with respect to obtaining usable surplus equipment or material from City facilities, in accordance with the established purchasing policy on disposal of surplus City property.
- c) That the Tivoli Foundation group continue to seek grants from the upper levels of government, as well as from private subscription.

Roy Hammel

FINANCIAL/STAFFING/LEGAL IMPLICATIONS:

I have several concerns with this proposal from a financial standpoint, such as:

- a) the Tivoli Foundation appears to have no assets, therefore they would be unable to offer any collateral for the loan guarantee. I understand the building itself is owned by Mr. Sniderman.
- b) the City would be obliged to set aside the \$100,000 from it's own resources in compliance with the Municipal Act in order to offer a loan guarantee. At the present time, taking into account the demands on the capital and current budgets, and the slow growth of the economy at this time, we would be hard-pressed to set aside these funds.

- c) the City has had some negative (financially) experiences in the past few years related to committing funds in some manner to well-intentioned non-profit groups, in that the proposed repayment of funds to the City did not materialize as hoped. I would hesitate to recommend similar proposals at this time in light of past experience and the present state of the economy.
- d) in a report from staff to a committee of HECFI in June 1991 commenting on the impact of the Tivoli Theatre on Hamilton Place, the conclusion was that while the restoration of the Tivoli will have a positive impact on the local performing arts community, it can't help but have a direct and negative impact on Hamilton Place, and therefore on Hamilton Place financial return.

BACKGROUND:

I was requested at the Finance and Administration Committee meeting of 01/24/92 to prepare a report on the proposal of the Tivoli Foundation for a loan guarantee by the City in the amount of \$100,000.

From a financial standpoint, it would not be a good business decision to recommend a \$100,000 loan guarantee for this proposal, and I would urge you to request the Tivoli Foundation group to continue to seek grants from upper levels of government, as well as private funding.

Attached is:

- Tivoli Foundation information package - pages 1-28
- HECFI report - pages 29-31
- Purchasing Policy report on Surplus goods - page 32

IRH/rh Att.

c.c. Ald. W. M. McCulloch

Mr. Brian Morton
Tivoli Foundation

Mr. Gabe Macaluso
Managing Director/CEO - HECFI

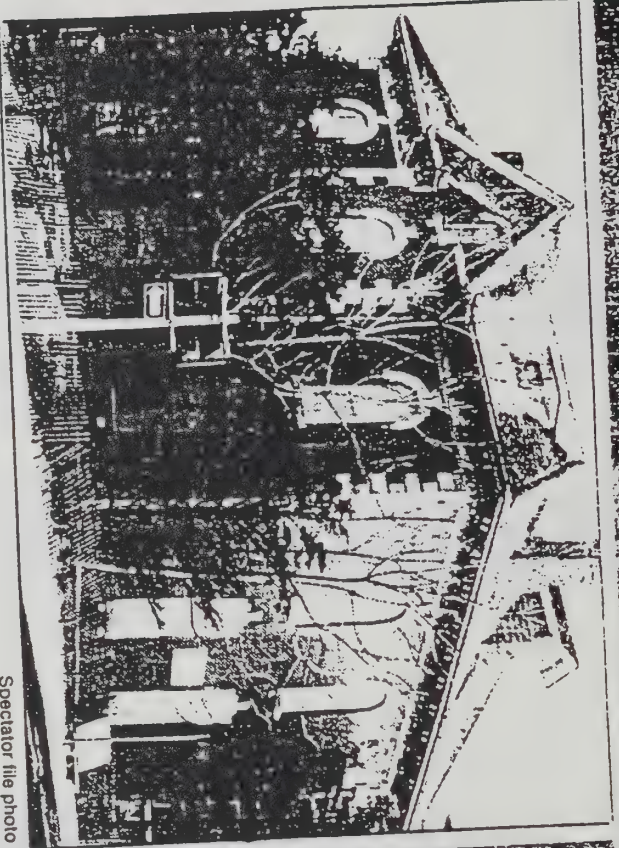
Mr. Tom Bradley
Manager of Purchasing

A GUIDE FOR PRESERVATION OF THE TIVOLI IN HARD TIMES.

A request by the Tivoli Foundation,
to the City of Hamilton for a loan
guarantee of one hundred thousand
dollars to ensure the operation and
preservation of the Tivoli Theatre
on James Street North in Hamilton.

December 31, 1991

STORY IN THE PAST



Spectator file photo



Ted Brellisford, The Spectator

Italianate house at John and Charlton.

Legal battle looms over demolition of 1870s house

By JOHN MENTEK
The Spectator

CHARGES COULD be laid and a legal battle is shaping up over the Boxing Day demolition of a vacant century-old house at the corner of John Street and Charlton Avenue.

A wrecking crew arrived at 74 Charlton Avenue East around 7 a.m. yesterday, and by mid-morning the 1870s-vintage house was reduced to a mound of red bricks and fancy wood trim.

Alderman Don Ross, reached at his home yesterday, said the city had not issued a permit, and the demolition was unauthorized.

Reduced to rubble yesterday.

The owner of the house is a registered charity, the St. Elizabeth Home Society, which has been trying to get permission to demolish the building since 1986.

A lawyer for the society said the decision to go ahead with the demolition was made after the city failed to act on an application.

"We will charge them," Mr. Ross said. "We have to get together with the building department and the (city) legal department today, to find out where, under which act, the appropriate charges will be laid."

Mr. Ross said city lawyers must also determine who will be charged.

The wrecking contractor at the site yesterday admitted he did not possess a demolition permit, but said that was not unusual.

Dan West, owner of West Sewer and Watermain, said he very seldom sees permits when he does demolition work.

Mr. West said he received a telephone call from Julian Gaspar, project manager of the St. Elizabeth Home Society, on Tuesday.

Mr. Gaspar told him to "get a machine in there for Boxing Day," and Mr. West said he

☐ Continued on A2

THE TIVOLI THEATRE

A Guide for Preservation of the Tivoli in Hard Times.

This proposal outlines The Evelyn Group's past involvement with the Tivoli Theatre and our future plans for the building operating as an incorporated non-profit group, The Tivoli Foundation For The Performing Arts.

The Evelyn Group was incorporated to produce the play How Could You Mrs. Dick?. It is composed of Producer Brian Morton, Director Guy Sprung and Playwright Douglas Rodger.
(See Resumes in Appendix)

We are, at present, the Directors of the Tivoli Foundation. If our proposals meet with City approval we would begin the process of expanding the Boards by inviting a City appointee onto the Board. We would also invite the members of the Tivoli Action Committee to become involved with the Foundation. We see our role as an interim one, until the building can be owned and operated by the community.

OUR HISTORY

In late May of 1991, The Evelyn Group first approached Sam Sniderman asking to use the Tivoli Theatre for our production of How Could You, Mrs Dick?.

We had a proven production but we did not have a theatre before we investigated the Tivoli. Originally built as a vaudeville house, the theatre had long operated simply as a movie venue. (See Reasons For Designation in Appendix) Behind the screen, the backstage was in disrepair and the stage dimensions very shallow. It had been many years since its last live performance. Although, the building was not ready for a professional production, we felt the potential advantages; availability, location, seating etc., outweighed the obvious liabilities. We also fell in love with the Tivoli, which played a large role in our decision. The sightlines, acoustics and the ambience of the Tivoli are unique. We knew that somehow, we could re-activate this building.

We had no money to offer the Snidermans. We had personally mortgaged our houses to remount the show but our pockets were certainly not deep enough to pay a full market rent. In spite of our impecunious state, the Sniderman family was amenable to our offer. Based on our track record and experience, they entrusted us with their building. In their own words, we showed "honesty and initiative".

4

However they were not interested in putting any more money into the Tivoli. By taking it over, we reduced their costs. (See Agreement) Coincidentally, our use of the Tivoli assured its survival. As long as the Evelyn Group was a tenant, the building was not a financial drain on their operations.

THE EVELYN GROUP'S AGREEMENT WITH THE SNIDERMAN'S

The negotiations took a month to complete. In simple terms, the licence agreement (not a lease) stated that we (The Evelyn Group) were responsible for;

1. The costs incurred in bringing the building up to the requirements of the Building Code, the Fire Marshall, Public Health, etc. in order to re-open to the public. We obtained copies of these inspection reports and met all the conditions required. (New Fire Doors, inspection of the alarm systems, pressure testing of the sprinkler system, etc.)
2. To obey all the requirements of the Historical Board as they affected the designated features of the Tivoli.
3. All of the improvements necessary to activate the Tivoli as a live theatre venue once again. i.e. Installing a lighting grid, building a forestage, re-rigging the fly gallery, opening a box office, installing phones, rigging a front of house lighting truss, creating and equipping dressing rooms, installing washrooms and running hot water to the dressing rooms.
4. The costs of the various taxes, insurance, licence fees and utilities etc., prorated over the period of our tenancy; (That period extends till December 31, 1991.)
5. All of the cosmetic work, paint, repairing the marquee, re-wiring the house lights, repairing the stage floor, seat repairs and the re-bulbing of fixtures, and much more, all required to make the building a clean and pleasant place.

WHAT WAS DONE

The work required was extensive. Simply cleaning the building after years of neglect and accumulated debris was an enormous task, one which goes on even now. We even made a simple wheelchair ramp and created Handicapped seating although we could not afford a wheelchair ramp to the washrooms.

We were also faced with a number of emergency plumbing and boiler repairs, which occurred as these things are wont to do, at the very last minute. The choice was simple - either fix them ourselves or close the theatre.

5

When the boiler required repairs, last winter, the Snidermans had simply shut it down and put in electric baseboard heaters. These were sufficient to prevent major freezing damage presumably, but they were not a viable option for an active public building. (There is insufficient power in the Tivoli to operate both show lighting and an electric heating system.)

We operated, through a very cold October spell, with no heat, at great discomfort to actors, staff and audience. The boiler is working now but the system is in need of some repair and upgrading. (A new condensate tank is needed at a cost of about \$3000.)

Similarly, the public washrooms which initially appeared to be in good condition, required a lot of expensive maintenance when they were put to use. (It's likely that Famous Players had not invested any money in repairs during the latter part of its ownership. When the water was turned on, we found the washrooms adjacent to the Projection Room were totally non-functional. There was no hot water to the temporary dressing rooms.)

WHAT WAS INVESTED

Over the course of six months, we have invested about 60,000 dollars of our money into the Tivoli; All of it, revenue from ticket sales for "Mrs Dick". Included in this figure is equipment such as a rolling scaffold system for hanging and focussing lights, the new forestage, an intercom system, dressing rooms, painting and re-decorating, doors and locks, portable heaters, small business machines etc. In other words, necessities for an operative theatre.

We have worked long and hard, for free, in order to realize the re-opening of the Tivoli. We have also subsidized the operation by working for far less money than we could have earned, were we employed elsewhere. We organized teams of volunteers to assist in the work.

The Tivoli Theatre was a big gamble for three artists with an idea and no money, one which we very nearly lost. If "How Could You, Mrs Dick?" had not been the success it was, the result would have been disastrous for us and for the Tivoli.

If it had sat empty one more winter, the Tivoli would have suffered irreparable damage. The money we spent, was spent wisely and for excellent value. It probably cost us less to activate the theatre, than it would for most organizations to commission a feasibility study on the project.

THE TWO YEAR LEASE PROPOSED WITH THE TIVOLI FOUNDATION

We have negotiated in principle, a two year deal with the Sniderman's under similar terms to our licence agreement. One important new element is a one dollar ticket surcharge on all events which will go into a special fund for the restoration of the facade. (The Facade Fund)

The Snidermans made it clear that they will not undertake any capital expenditures at this point, other than perhaps the roof, if it were necessary.

LONG TERM PLAN

This lease agreement will buy crucial time for the Tivoli. We hope that during the two years, steps will be taken to ensure the future of the Building. Clearly the time for action is now. The public awareness of the building is great. (We sold 22,500 tickets for "Mrs Dick"). We have heard, off-the-record, intimations that the Snidermans would be willing to sell. We hope that our continued tenancy can be the catalyst to a positive resolution to the question of the Tivoli's future.

ANCILLARY SPACE: THE TOP TWO FLOORS

Our proposed agreement with the Snidermans gives us at no extra cost, the top two floors of the Tivoli, over 16000 square feet, enough raw space to develop a very effective cultural and office centre in a prominent downtown location. Some work would be required to meet the Fire Codes and to install wash rooms and partitions. We understand that the Hamilton and Region Arts Council and the Hamilton Philharmonic are both in the market for office space. One could see a cost-effective solution in the restoration of the upper stories of the Tivoli.

WHAT IS TO BE DONE IMMEDIATELY

The Tivoli now functions as a theatre but there is much still to be done. There are no curtains, no theatrical lights, and no sound equipment, inadequate dressing rooms and other major limitations.

However there is a constant flow of serious enquiries regarding the rental of the building. We have had to delay acceptance of these offers because we cannot afford to continue to operate the Tivoli without an infusion of operating capital. Just to have all the utilities registered in our name would cost 3000 dollars.

WHAT IS NEEDED.

We need a loan guarantee of one hundred thousand dollars. We propose that the loan guarantee could be reduced incrementally, after twelve months. This ensures that the Theatre will be up and running over a long

See enclosed Budget and Financial Plan.

We need a donation of any surplus or outdated theatrical equipment from Hamilton Place such as curtains, dimmers, amplifiers or speakers, etc.

WILL THE TIVOLI BE A DRAIN ON THE TAXPAYER?

With an aggressive rental and promotion policy, the Tivoli Theatre can generate sufficient revenue to support itself, if it is kept as the lean, non-bureaucratic organization we have at present. For instance, our entire Holiday Week at The Tivoli, programme which comprised 19 shows, was budgeted at under \$50,000. Ticket prices were set at \$5-12.50, certainly a bargain.

Ticket prices for Tivoli events will be kept as low as possible to ensure accessibility for all the citizens of Hamilton.

At one third the capacity of Hamilton Place and twice the size of The Studio, The Tivoli appeals to a broad base of promoters, community groups and professional entertainers. Even with the cost of renting lights and sound, the Tivoli can be rented for a very reasonable sum. Aside from all the sound historical reasons for saving the Tivoli, there is a very practical one; it is a valuable commodity.

THE IMMEDIATE PLAN

When the loan guarantee is in place, the first year's programming will begin and the Tivoli Foundation in conjunction with the City and Lacac can set about trying to raise money for the purchase restoration. This would be the most cost-effective way of saving the Tivoli and ensuring that it is not a drain on the public purse.

PROPOSED PROGRAMMING AND RENTALS

Some of the shows proposed in 1992 include concerts by Sandra Shamas, Canada's hottest comic; Loreena McKennit whose new record is currently # 3 on the popular music charts; Rod Beattie's hilarious one-man Wingfield Trilogy, which has been seen all across Canada, though never in Hamilton; Sneezy Waters in his legendary Hank Williams Tribute, "The Show He Never Gave". Concert Productions International have also requested information regarding dates and prices.

Symphony Hamilton, Hamilton Theatre Inc. and other local groups have expressed a definite interest in renting the Tivoli. The Hamilton Philharmonic and Opera Hamilton have brought us a proposal for a unified box-office structure which might use the Tivoli as a focal point for the operation. In addition the Board of Education wants to phase all community theatre groups out of Sir John A. McDonald. Where can they go? The Tivoli has a lot to offer.

SUMMARY

With this plan, we can buy time for the Tivoli. If the building is to be saved, sooner or later this situation would arise; To start programming requires money.

However the plan only makes sense if the City of Hamilton is serious about saving the theatre. If that will does not exist, we will turn the Tivoli back to the Sniderman family. It is not being alarmist to suggest that the demolition of the Tivoli might eventually result.

THE EVELYN GROUP

Brian Morton has been active in all aspects of the theatre from directing to production management. He has worked at Lighthouse Theatre, Theatre Aquarius, Stage West and the Blyth Festival. Mr Morton has founded two theatre professional theatre companies and produced a series of Canadian plays at the prestigious Edinburgh Festival in Scotland.

Mr. Sprung has been the Artistic Director of several of Canada's leading theatre companies; including the Vancouver Playhouse, Toronto Free Theatre and the Canadian Stage Company. His work has also been seen on the stages of the Stratford Festival, the Royal Alexandra, Centaur Theatre and Theatre Calgary. In addition Guy Sprung has directed productions in London, Berlin and most recently in Moscow. His experiences directing Shakespeare in the Soviet Union have led to the recent publication of the book Hot Ice, by Winnipeg's Blizzard Press.

Douglas Rodger, has numerous credits in theatre, film and television including a version of the Evelyn Dick story for CBC Television's Scales of Justice series which will be directed by David Cronenberg. Mr Rodger's play Donut City opened at Vancouver's Impulse Theatre in Vancouver on July 24th. His play How Could You Mrs. Dick? was a box office hit at the Tivoli Theatre in Hamilton and at the Wintergarden Theatre in Toronto.

APPENDIX "B"

A YEAR IN THE LIFE OF THE TIV

Over the course of the Year, we would envision the following scope of activity in the Tivoli Theatre.

COMMUNITY RENTALS

On average twice a month the theatre would be made available to community groups, choirs, bands, drama societies, etc. We have already had demands for these kinds of events from groups such as: Bach Elgar Choir; Te Deum; Symphony Hamilton; Hamilton Multi-Cultural Theatre Ass.; Hamilton Theatre Inc. We would have a special minimum rent for such organizations.

OTHER IMPRESARIOS

We have already rented the theatre to a local impresario for his successful presentation of the hit band Blue Rodeo. Because of the Tivoli is so well suited for musical events of this nature and the cost of the theatre is so minimal, we envision such events happening on average once a month.

FILM NIGHTS

In co-presentation with local film clubs and ventures such as Reg Hartt we would organize a regular series of classical films, childrens' afternoons and special series. Every first Monday of the month for instance might be a Bogart night. Every Saturday afternoon could be a regular presentation of kids' cartoons. This inexpensive concept could be developed over time as a loyal audience was built up.

LIVE LOCAL MUSIC

Once a month, along the lines already attempted during our Holiday week, we would make the theatre available to up and coming local bands, performers, musical groups. Again an inexpensive way of building a following for both the bands and the theatre.

LONGER TERM RENTALS

We have already had a large number of enquiries for future longer term rentals. This would include rehearsals for Opera Hamilton or Hamilton Philharmonic. There has been one enquiry to use the theatre as a recording studio for two weeks. Once the availability and suitability of the venue is more generally known, it is not inconceivable that commercial producers might want to rent the theatre for one or two months at a time. Even Theatre Aquarius, if they had a hit show and could not extend it because of the pre-planned subscription repertoire, might entertain the possibility of transferring into the Tivoli. We anticipate a minimum of four such longer term rentals over the course of the year.

SPECIAL SHORT TERM CO-PRESENTATIONS

There are a number of national and a few international events that we would present in co-operation with the groups themselves or other producers. These include the extraordinary comedian Sandra Shamas with her "Laundry Cycle" of one-woman plays; or special musical events such as Loreena McKennitt, who will be touring Southern Ontario during February. We have also discussed the possibility of bringing in the Wingfield Farm Trilogy with actor Rod Beattie. These are all low budget, low risk events that we would import for a short run of three or four performances. We anticipate being able to bring in six such productions over the course of twelve months. For some of these touring events we would be eligible for grants from the Canada Council and the Ontario Arts Council Touring Fund.

OUR OWN PRODUCTIONS

As we did with How Could You Mrs. Dick, we would continue to develop and rehearse plays at the Tivoli as co-productions with other theatres around the country. In the first year, while devoting a large portion of our energy to setting up the smooth administration of the Theatre and fighting to ensure the building is preserved, we do not anticipate mounting more than two such productions. We would run each production a minimum of three weeks. Any profits from these productions would go to the administration and upkeep of the theatre. We would apply to the Ontario Arts Council and the Canada Council for the necessary funding to stage these productions.

This represents a total usage of just under 50% of the year. Naturally the exact proportion of co-presentations to rentals will not end up as outlined here, but we feel, as the saying goes, "What we lose on the roundabouts we'll make up on the swings".

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PRO - FORMA BUDGET
FIRST TWELVE MONTHS AT THE TIVOLI

DATE: December 26, 1991

REVENUES:

Community Rentals	(\$500.00 X 24)	\$12,000.00
Other Impressario	(\$1000.00 X 12)	\$12,000.00
Film Nights	(\$250.00 X 36)	\$9,000.00
Live Local Music	(\$500.00 X 36)	\$6,000.00
Long Term Rentals	(\$7000.00 X 4)	\$28,000.00
Co-Presentations	(\$2000.00 X 6)	\$12,000.00
Our Productions	(\$2000.00 X 2)	\$4,000.00
Concessions		\$5,000.00
Common Area Rental Contribution		\$5,000.00
Ontario Arts Council/Canada Council		\$15,000.00
Private Fundraising		\$10,000.00
Total Revenues:		<u>\$118,000.00</u>

NOTES TO THE REVENUE PAGE

All rental revenues are net of any expenditures occasioned by the event itself. Thus if extra technicians are required, or a presenter would like us to run the box office, we will supply these services at an additional cost. Event specific equipment rentals would also be in addition to the basic rents shown in the revenue columns. Netted out of the revenues has been a small fee to the users of the theatre that would go into a "Tivoli Facade Fund".

The revenues attributed to our own productions are extremely, if not ridiculously conservative.

The concession revenue budget should be easily attainable. The six week run of DICK brought in more than this sum.

The building also includes 16,000 sq. of useable office and rehearsal space. Our intention is to approach some of the other homeless community arts groups and offer them space at very minimal rent. The revenues from Common Area Rentals are net of any additional utilities' expenditures.

We will be approaching both the Ontario Arts Council and the Canada Council for minimal initial support for our activities at the Tivoli. The venture is so exciting we anticipate that over the long term we will be able to access considerable provincial and federal financial support. In the first year we have kept our expectations to a minimum.

We also will be approaching foundations and private corporations for financial assistance in the running of the theatre. Our expectations in the first year are also very modest.

EXPENDITURES:

Administrator	\$30,000.00
Production Manager	\$15,000.00
Office Expenses	\$6,000.00
Building Supplies	\$6,000.00
Taxes	\$16,000.00
Heat	\$9,000.00
Telephone	\$3,000.00
Hydro/Water/etc	\$6,000.00
Equipment Purchase	\$20,000.00
Total Expenditures:	<u>\$111,000.00</u>

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NOTES TO THE EXPENDITURE PAGE

These are the basic costs to keep the theatre open. As mentioned in the notes to the revenue page, they are net of any event specific expenses. Fundamental to our concept is putting an Administrator in place immediately. This person would seek out and contract the rentals, apply for the various grants and sponsorships and be responsible for the financial well being of the theatre. In support would be the Production Manager who would be responsible for the building and all technical aspects of the events. The Production Manager's income would be supplemented by technicians' fees charged to individual users of the space.

Some support staff, from time to time, will be hired under provincial and federal training and make-work programs. Additional technician and box office personnel would be hired and paid for by the individual user groups.

The amount allotted to equipment purchase is very low. This figure depends upon us getting permission to use some of the retired equipment now being stored in the basement of Hamilton Place. Any sound and lighting equipment we do purchase will be amortized over the length of the initial two year lease. As stated, any event specific equipment needs would be paid for by the user groups themselves.

This Pro Forma budget is also drawn up with the assumption that the Tivoli Foundation in conjunction with LACAC and the City itself would secure the ownership of the theatre for the community from the Snidermans'. This same partnership would initiate a capital fundraising campaign for the renovation and preservation of the building. Should the roof suddenly develop a leak, or the plumbing or boiler give way, the funds necessary to deal with such emergencies would come from this capital fund.

Theatres earned applause

TWO EVENTS gave Hamilton theatre a proud, pumped-up autumn. After 18 years, Theatre Aquarius unveiled a new \$11.8 million, 750-seat home with top-flight production facilities. Meanwhile, another 750-seat auditorium, the Tivoli Theatre, was reopened with a smash-hit hometown crime-saga.

Aquarius Ages Stylishly: Theatre Aquarius inhaled a brief smokescreen over the name, then settled into the du Maurier Centre at King William and Ferguson as though it were old home week. A splendid *Man Of La Mancha* drew 13,400, most of them aglow over the huge stage and Karen K. Edissi's volatile tavern wench. Home-grown comedy actor Martin Short headed a gala variety show that raised over \$22,000. More than 11,400 customers returned for *The Woman In Black* and an eye-opening demonstration of stage effects. And 11,000 people welcomed Ebenezer Scrooge in musical fashion with the Aquarius adaptation of A Christmas Carol.

"Attendance was fabulous," said Ruth Slater, Theatre Aquarius publicist. "Given that it's the first time that we've had a Christmas show, I think it did really well."

The Tiv Lives: The revitalization of the Tivoli Theatre, the James Street movie house shuttered for two years, was a happy event all around. Playwright Douglas Roger, another hometown, brought back *How Could You, Mrs. Dick?*, his hard-boiled slice of 1940s Hamiltonia. Audiences lapped up the scandalous adventures of a flirt named Evelyn, her ill-fated husband and her psychologically knotted family. A slick professional production played to 22,500 at the Tivoli over six weeks and another 9,000 in two weeks at Toronto's Winter Garden.

Terra Infirma: On the downside, professional theatre virtually disappeared from Hamilton Place, with the departure of Aquarius from the Studio Theatre for its new quarters.

Meantime, Theatre Terra Nova opened a play in January called *The Chinese Man Said Goodbye*, and took the message to heart, cancelling the latter half of their first season in the Playhouse Theatre. Basically, Terra Nova got too ambitious — trying to stage a professional season of six plays and run and renovate a building they'd purchased with a \$225,000 interest-free city loan — and too few people were trying to do too much. Artistic director

Du Maurier Centre and Tiv took centre stage this year



Jack Hourigan, Special to The Spectator

□ Lesleh Donaldson, left, starred as Evelyn Dick and Carolyn Hetherington played her mother in *How Could You, Mrs. Dick?* at the Tivoli Theatre.

Chris McHarge and director Kevin Land resigned. Terra Nova got some advice from arts administrator Paul Eck over the summer, with the aim of regrouping. A fall art auction raised a disappointing \$500. Now the group is having trouble meeting its monthly payments on the civic loan and the outlook, quite frankly, isn't very good.

Amateur Scene: Community theatre continued to flourish, as it tends to do in these parts. Some of the year's more ambitious productions included *Blood Relations*, the Lizzie Borden story, from the Dundas Little Theatre; *Top Girls*, a drama about the choices offered women today, from Waterdown's Village Theatre; and the rueful musical, *Follies*, from Hamilton Theatre Inc. McMaster University students started a three-play summer

drama festival that drew large crowds, particularly to an outdoor version of A Midsummer Night's Dream. A sequel is planned for this July.

Shaw, Stratford Down: Attendance at Ontario's premier theatre festivals dropped. Stratford lost \$1.35 million on 25,000 fewer ticket sales than 1990. The

Shaw, with 28,000 fewer tickets sold, will announce its deficit in January.

Big Tickets: Yet high-priced stage spectacles continued to thrive in Toronto. The Phantom Of The Opera celebrated its second anni-

versary at the Pantages Theatre. Headliner Colm Wilkinson took a three-month holiday but is expected back early in 1992. Down Yonge Street, the Elgin Theatre prepared for two more Andrew Lloyd Webber shows: *Aspects Of Love* in December and *Joseph And*

The Amazing Technicolor Dreamcoat in June. Meantime, *Les Miserables* held firm at the Royal Alexandra Theatre where it's scheduled through November, though Michael Burgess, the production's Jean Valjean, leaves the cast at the end of February. And Alex, where Ed and David Mirvish broke ground for a new 2,000-seat theatre to house *Miss Saigon* in 1993.

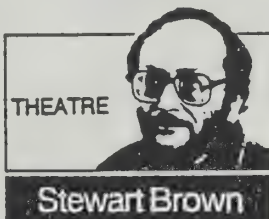
Loving Cups: Hamilton's theatrical personality of the year was Christine Hamilton, founder of the popular Guelph Folies, who won the Elsie Thomas Award. On community theatre stages Steel Magnolias was declared the pick of the Hamilton Players' 1991 season, with Folies getting the juiciest nod as the top musical from Hamilton Theatre Inc. The Burlington Little Theatre gave its major kudos to *As You Like It*.

In Toronto, *Lilies*, a revenge play at Theatre Passe Muraille, won the

THE YEAR IN REVIEW THEATRE

Mavor Moore award as best production. Four plays on the Toronto scene, two of them from Quebec, won the Floyd S. Chalmers Canadian Theatre Awards. Polygraph by Robert LePage and Marie Brassard, La MaMa suspended by Michael Tremblay, Untitled Human Remains and The True Nature Of Love by Brad Fraser and Lion In The Streets by Judith Thompson. The 1991 Governor General Award, for the best new Canadian script, was won in English by MacLeod for Amigo's Blue, written in French by Gilbert D'Amboise. My Uncle Marcel Who Wanders Near The Beri Subway.

International theatre awards this year included Tony to *Les Misérables* Lost In Yonkers and The New York Times Review as best play and musical. The Broadway season in Elgin Theatre, At Lughnasa, the Brian Auger and Trinity Theatre Plus Toronto production of the summer, won both the Elgin and Evening Standard awards. Best actress Jones was judged the best female. Wish List: If there's one play I want to see done in the Hamilton area, it's *It's A Wonderful Life* from either of its sequel theatres, The Beattie at the Bay-Street end or turned-Jarner. And in Burlington, I'd like to see Aquarius of the State Festival in the 1992. But here's another wish list that might be a bit more realistic. Page 1.



THEATRE

Stewart Brown

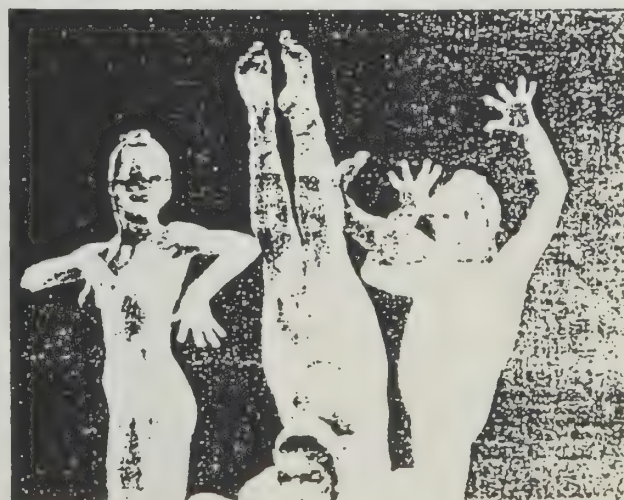
Critic's choice

The 10 best productions of 1991

By STEWART BROWN
The Spectator

HERE, IN ORDER of opening, are my favorite productions of 1991. *Lilies*, Theatre Passe Muraille, Toronto. This exploration of homosexuality, the Roman Catholic Church and a French aristocracy lost in Quebec around the turn of the century, was mesmerizing theatre. *Time And The Conways*, Royal Alexandra Theatre, Toronto. Eloquent and moving family drama from J.B. Priestley, with Joan Plowright heading a British cast that included two of her daughters with Laurence Oliv-

Les Belles Soeurs, Stratford Festival. The Michel Tremblay play about 15 working-class women in East Montreal got a blockbuster production from director Marti Maraden and an all-star cast. *Timon Of Athens*, Stratford Festival. Impeccable production of Shakespeare's bitter play, with Michael Langham directing and Brian Bedford as the cynical title character. *Cirque du Soleil*, Ontario Place. Yes, it's a circus, but the artistic concepts behind this Quebec treasure are brilliantly theatrical. *The School For Wives*, Stratford Festival. Bedford again, this time in



Blue Rodeo rocks the Tivoli

NICK KREWEN
The Spectator

ON ONE of the final stops of the year-old Casino tour, Toronto rockers Blue Rodeo figured it was time to take a gamble.

So last night at the Tivoli — the Hamilton theatre's first rock concert ever — the quintet played about a half-dozen new tunes and reworked many of their familiar ones.

The result was an exciting two-hour performance that was a little rough in some places, a little ragged in others, but full of spontaneity and vigor.

Kicking off the show with a new ballad called Is It You, the combined harmonies of Jim Cuddy and Greg Keelor — who share the songwriting and guitar playing duties, and split the lead vocals — were in fine form.

Their aggressive attacks during both What Am I Doing Here and Trust Yourself added extra adrenalin to the powerful rock songs, increasing the intensity experienced by the 700 fans.

And isn't keyboardist Bob Wiseman one of the best improvisational talents in contemporary music today? An eccentric performer who largely seems to be lost in his own world when he's onstage, Wiseman lets his fingers do all his talking.

Providing some of the most imaginative and unorthodox solos on keyboard, accordion or harmonica, Wiseman's double-fisted solo during Trust Yourself was amazing. He also added his magic touch on the Piranha Pool introduction by utilizing cluster chords, dissonant chord structures and wandering outside the key of the song, but managed to weave all these techniques together and present something that was beautifully cohesive.

Wiseman is also responsible, of course, for the cheesy '60s sound of the Fartisa organ, which aside from Cuddy and Keelor's harmonies, is Blue Rodeo's trademark.

If there was any weakness in the chain, it came from the rhythm section. Bassist Basil Donovan and drummer Mark French. The secret of a solid band is an even more solid rhythm section, but unfortunately French seemed to be in a hurry. Sometimes he led the band into the vortex, allowing the momentum and the passion of the music to disrupt his timing.



Ted Brewster, The Spectator

□ Toronto rock band Blue Rodeo performing at the Tivoli.



And there were other times when he was attempting to catch up to Donovan, who was so wrapped up in his playing — especially during his solos — that he forgot to listen to the drummer.

Towards the end of two of the songs,

the bottom dropped out and left a gaping hole that disturbed the flow. Otherwise, the time juggling was barely noticeable.

But it was noticeable.

As previously mentioned, not all the arrangements were kept the same. Love And Understanding received a facelift — or was it a pacelift — and successfully made the transition from midtempo to speedy. And a new ballad, We're Lost Together, smells like a hit.

Blue Rodeo even performed their first instrumental, which gave bassist Donovan a well-deserved spotlight to show off his formidable talents. Other highlights included some strong singing from Jim Cuddy on the ballads After The Rain and Try, a rockin' Diamond

Mine, and a hyperdriven Til I Am Myself Again which finally got a few people dancing.

I guess, since he was the opening act, Hamilton's own Jack de Keyzer has the historic distinction of being the first live music performer at the Tivoli.

He acquitted himself very admirably with his acoustic set, strumming blues and rockabilly flavored songs from his fine debut album, Hard Working Man.

Favorites included Long Legged Woman and That's The Way.

"I remember watching the midnight movies at the Tivoli and getting high in my teenage years not so long ago," recalled de Keyzer midway through his set.

Musical convictions

Rogers uses songs, humor to support causes

By BRENDA L. WHITEHALL

Special to The Spectator
SOME BENEFIT shows are saturated by lengthy speeches about "the cause." But Saturday night's benefit for Interval House (a women's shelter), featuring Hamilton's Garnet Rogers and Open Mind at the Tivoli Theatre, was garnished more with humor than sermons.

A veteran folk singer/songwriter, Rogers is gifted with a rich baritone voice, a knack for storytelling and a conviction for various charities and political issues. Although Rogers admits he's lost fans because of his "political stance," he believes supporting Interval House shouldn't offend his followers.

"Interval House is something I think really crosses the political borders," said Rogers. "You've got to make people aware that it's a war zone (out there)."

In concert, Rogers leaves fans emotionally drained with his choice of material. His provoking songs — some original and others by his favorite songwriters — deal with the working man's trials and tribulations, combining love with

politics and protesting the injustices of the world. But the 36-year-old performer saves grace between songs with his sense of humor and clever anecdotes.

Joined onstage by fiddle player Doug Long, Rogers performed for nearly two hours before an estimated 350 patrons.

Rogers is a guitar virtuoso. By using open-tunings, he creates melancholic moods to accentuate his evocative, straight from the heart lyrics. Vocally, he caresses his way through tender ballads like Stars In Their Crowns, Black-Eyed Susan and Willie Short or belts out an angry commentary (sometimes to the point of his lyrics being muffled) in political narratives such as Young Willie and Sleeping Buffalo.

The show's highlight was Rogers' rendition of Northwest Passage, a poignant composition by his late brother Stan Rogers. The lights dimmed as Long on fiddle and Rogers on violin played, while fans began singing. It was a magical moment.

Hamilton's popular acoustic rock duo Open Mind presented a superb opening set. After joking

about being introduced by the wrong name, lead vocalist Chantal Chamberland (12-string guitar) and singer/songwriter Cynthia Kerr (acoustic guitar) launched their 30-minute set with the uptempo Lion's Den from their recently released debut cassette, The Stones We Carry...

Chamberland sings like she's making love to every lyric, delivering each song with crystal clear vocals, authentic emotions and delicate facial expressions. Kerr's rich harmonies and seasoned guitar playing enhance the moods created by Chamberland.

Open Mind's music is exciting and aggressive. New songs such as Like A Sacrifice and King Of Vague (which perhaps best showcased the duo's exquisite harmonies) were well received. And their energetic closing number, One More Night, left the crowd wanting more.

The crowd's reception of Open Mind noticeably increased with each song. By the end of their impressive set, fans were applauding as loudly as they later were for the headliner.

And that's quite a feat.



Paul Hourigan, The Spectator
□ Garnet Rogers played at the Tivoli on Saturday.

Tiv tab set at \$3.2 million

Aging theatre's sound condition keeps restoration cost 'reasonable'

By HUGH FRASER
The Spectator

A PRICE tag of \$3.2 million has been attached to plans to restore the Tivoli Theatre to its 1920s glory days.

The price tag was arrived at after a positive feasibility study on the James Street North theatre was completed recently by architect David K. Mesbur, who was responsible for the restoration of Toronto's Pantages Theatre.

Although original estimates for restoration were set at \$2.1 million, Tivoli owner Sam Sniderman, buoyed by the news of the building's structural soundness, called for new washrooms and a larger lobby on space taken from the Sam The Record Man store next door that is slated to open the first week of December.

Although adding a balcony to the theatre proved too expensive, second storey projection rooms will be turned into executive loges to be sold to corporations as part of a fundraising effort. That will add some 300 seats to the 1,000 in the theatre. A tower lounge will also be added.

"That's what escalated the figure by \$1 million," said Sniderman. "But I figured, if we're going to do it, we're going to do it only once and we may as well do it properly."

Because the Tivoli has been designated an historic building by the province, Sniderman is looking for funds from all three levels of government as well as the private sector for the restoration.

Brian Robertson, a Toronto TV and theatre production veteran working with Sniderman on the restoration, is forming a board of directors to raise the funds and run the theatre.

'Just a little bit'

Sniderman says \$3.2 million isn't a lot of money, pointing out \$29 million was spent on the Elgin and Winter Gardens Theatres in Toronto and \$18 million for the Pantages.

"It's just a little bit," he says. "In fact, what he (Mesbur) came up with originally was \$2 million — fully half that on wiring, heating, air conditioning and other services — and said: 'Sam the only reason we can do it this reasonably is that the building itself is in such good condition'."

Robertson says the Hamilton Philharmonic and Opera Hamilton have expressed interest in using the Tivoli and he even has plans for an opening night — a return to 1924 with the audience in period clothes and a vaudeville show televised coast to coast.

The Hamilton Philharmonic is looking into the feasibility of using the theatre as a rehearsal hall, a hall for smaller concerts and office space, while Opera Hamilton is interested in it as a venue for operetta and chamber opera.

But Hamilton Philharmonic general manager Stephen Bye said the HPO's involvement with the Tivoli was "a little bit of chicken and egg thing," saying it's hard to know how suitable a hall is until it has been renovated. That and the fact the HPO is already booking its 1991-1992 season concert space makes it difficult to know just what its participation will be.

Opera Hamilton artistic director Daniel Lipton said that he hopes the theatre could be used for chamber operas both of the baroque and modern eras.

"I'd like to think we could have an experimental opera theatre using young, up and coming singers," he said.

Theatrical touring, bringing in shows from Toronto that normally wouldn't come to Hamilton, and matinee theatre for senior citizens are other uses being considered, said Robertson.

APPENDIX "C"

REASONS FOR DESIGNATION

Tivoli Theatre, 108 -112 James Street North

Built in 1875 as a carriage factory for J.P. Pronguey, the building at 108-112 James Street North has served primarily as a theatre since 1908. In 1924, the building was substantially enlarged by an auditorium added to the rear to accomodate the Tivoli Theatre, the name by which the building has since been known.

Context

With its architecturally impressive facade, dominant corner tower, and high visibility, the Tivoli Theatre is a major contributing component of the James North heritage streetscape. It also provides a dramatic visual terminus to the block extending from Cannon to Wilson Street. The adjacent site at the north-east corner of James and Wilson was, for many years, occupied by the Grand Opera House and Hotel, erected in 1880 and demolished respectively in 1960 and 1986.

Historical Significance

In the course of its history, the building at 108-112 James Street North has served many different uses: a carriage works (until 1901), a bowling alley on the second floor (1908-64), various restaurants and retail businesses at street level; and of particular significance, a succession of theatres: the Wonderland (1908), the Colonial (1909-12), and the Princess (1913-23), all located in the space which became the lobby of the Tivoli Theatre, and finally, the Tivoli itself.

The Tivoli has an important place in Hamilton's theatre history. The Wonderland was reputedly the City's first film theatre while the Tivoli, a vaudeville theatre and motion picture house, was the first theatre to introduce sound movies in the late 1920s. Of the numerous theatres built in Hamilton during the early 20th century, the Tivoli counted among the seven largest and grandest, the most resplendent of which were the Capitol and the Palace. All but the Lyric (now the Century) and the Tivoli have been demolished; and of these two only the Tivoli Theatre has retained any part of its original interior decor.

Architectural Significance

Exterior

Clearly intended to make a bold statement of Pronguey's entrepreneurial ambitions, the original carriage factory was designed by Hamilton architect Albert H. Hills in the popular Second Empire style. Characteristic of this style are the steeply-pitched mansard roof with dormers, the bracketed cornices, and rich classical detailing. Noteworthy features of the Tivoli facade include the round-arched windows with two-over-two sash windows and ornate moulded surrounds, the gabled dormer windows, and the tall mansard-roofed tower. This convex-shaped tower displays narrow, paired

22

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Interior

The Tivoli Theatre was greatly admired for its sumptuously decorated "Italian Renaissance" interior, designed by Toronto architect B. Kingston Hall. While a significant proportion of the original decor was removed or covered in the course of renovations undertaken in 1943, 1947 and 1954 (when the most extensive remodelling occurred), the main architectural features of the auditorium are still largely intact. These include the proscenium, the ceiling with its elliptical design, the decorative cornice and frieze below, and along each side wall: a colonnade comprising five round arches sprung from coupled pilasters. The two arches on either side of the stage still contain the original bronze statues of Caesar Augustus and the goddess Minerva. At the base of each of the other eight arches are medallions depicting the four seasons.

Designated Features

Important to the preservation of the Tivoli Theatre are:

1. the original architectural features of the front (west) and side (south) facades, including the upper-storey arched windows, moulded surrounds, bracketted cornice, and slate-covered mansard roof with its dormers and corner tower.
2. the original architectural features of the lobby and auditorium, including the ceilings, proscenium, colonnades, statuary, and other decorative wall elements. Excluded from designation are the more recent additions, such as the floor covering, seating and stage curtain.

EXHIBIT "B"

IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1980, CHAPTER 337,

AND IN THE MATTER OF THE LANDS AND PREMISES AT THE FOLLOWING MUNICIPALITY ADDRESS IN THE CITY OF HAMILTON IN THE PROVINCE OF ONTARIO.

NOTICE OF PASSING OF BY-LAW

TAKE NOTICE that the Council of The Corporation of the City of Hamilton has passed By-law Number 90-255 to designate the following property as being of architectural and/or historical value of interest under Part IV of The Ontario Heritage Act.

108-112 James Street North
DATED AT HAMILTON this 13th
day of SEPTEMBER, 1990.

"K.E. AVERY"
(Clerk)

THIS IS EXHIBIT "B" REFERRED TO IN THE
DECLARATION OF KEITH EDWIN
AVERY SWORN BEFORE ME THIS 2ND
DAY OF OCTOBER,
A.D., 19 90.

S. J. Hollowell
A COMMISSIONER, ETC.

STANLEY GEORGE HOLLOWELL, a Commissioner, etc., Judicial District of Hamilton-Wentworth, for the Corporation of the City of Hamilton.
Expires April 1st, 1991

DOMINION OF CANADA)
Province of Ontario)
Judicial District)
of)
Hamilton-Wentworth)

IN THE MATTER OF The Ontario Heritage Act.

AND IN THE MATTER OF Lands and Premises
in the City of Hamilton, Known Municipally
as 108-112 James Street North.

RECEIVED
PLANNING

OCT 19 1990

REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH

I, Keith Edwin Avery

of the City of Hamilton in the Regional Municipality of Hamilton-Wentworth.

DO SOLEMNLY DECLARE:

1. That I am the Clerk of The Corporation of the City of Hamilton and, as such have knowledge of the matters herein deposed to.
2. That I have made a search of the files of The Hamilton Spectator, a newspaper of general circulation in the City of Hamilton, and find that the Notice of Passing of By-law Number 90-249, a copy of which is annexed hereto and marked Exhibit "A", was duly published in the said newspaper in the issues of Thursday, September 13th, 20th and 27th, 1990.
3. That By-law Number 90-249, a copy of which is annexed hereto and marked Exhibit "B", was sent by registered mail on Monday, September 17th, 1990, to each of the following:
 - (i) The Ontario Heritage Foundation,
77 Bloor St. West, 7th Floor,
TORONTO, Ontario M7A 2R9
 - (ii) Mr. Sam Sniderman,
c/o Mr. Morton Smith, Q.C.,
111 Richmond St. West, Suite 1400,
TORONTO, Ontario
M5H 2G4

AND I make this solemn Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

DECLARED before me at the City)
of Hamilton)
in the Regional Municipality)
of Hamilton-Wentworth)
this 2nd day of October)
A.D. 1990.)

[Signature]
A Commissioner, etc.

[Signature]

The Corporation of the City of Hamilton

BY-LAW NO. 90- 255

To Designate:

LAND LOCATED AT MUNICIPAL NOS. 108-112 JAMES STREET NORTH

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(1)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal Nos. 108-112 James Street North and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law in a newspaper having general circulation in the Municipality of the City of Hamilton for three consecutive weeks.

PASSED this 28th day of August

A.D. 1990.


Deputy City Clerk


Mayor

Schedule "A"

To

By-law No. 90-255

Tivoli Theatre

108-112 James Street North, Hamilton, Ontario

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, being composed of:

PART OF Lot Number 2 fronting on James Street, and Part of Lot Number 3 fronting on Hughson Street according to James Hughson Survey and being in the block bounded by James, Wilson, Hughson and Cannon Streets and which parcel of land is designated Parts 1, 2 and 3 according to a plan of record deposited in the Land Registry Office for the Registry Division of Wentworth as Number 62R-10419.

TOGETHER WITH the right to pass over, along, upon and to use as a right of way Part of Lot Number 2 fronting on Hughson Street and which right of way is designated Part 6 according to the said Plan 62R-10419 and,

TOGETHER WITH a right of way over Part of Lot Number 3 fronting on James Street and which right of way is designated Part 7 according to the said Plan 62R-10419,

SUBJECT TO the right of all others entitled thereto to pass over, along, upon and to use as a right of way Part of Lot Number 3 fronting on Hughson Street and which right of way is designated Part 3 according to the said Plan 62R-10419.

Schedule "B"

to

By-law No. 90- 355**REASONS FOR DESIGNATION****Tivoli Theatre, 108 -112 James Street North**

Built in 1875 as a carriage factory for J.P. Pronguey, the building at 108-112 James Street North has served primarily as a theatre since 1908. In 1924, the building was substantially enlarged by an auditorium added to the rear to accommodate the Tivoli Theatre, the name by which the building has since been known.

Context

With its architecturally impressive facade, dominant corner tower, and high visibility, the Tivoli Theatre is a major contributing component of the James North heritage streetscape. It also provides a dramatic visual terminus to the block extending from Cannon to Wilson Street. The adjacent site at the north-east corner of James and Wilson was, for many years, occupied by the Grand Opera House and Hotel, erected in 1880 and demolished respectively in 1960 and 1986.

Historical Significance

In the course of its history, the building at 108-112 James Street North has served many different uses: a carriage works (until 1901), a bowling alley on the second floor (1908-64), various restaurants and retail businesses at street level; and of particular significance, a succession of theatres: the Wonderland (1908), the Colonial (1909-12), and the Princess (1913-23), all located in the space which became the lobby of the Tivoli Theatre, and finally, the Tivoli itself.

The Tivoli has an important place in Hamilton's theatre history. The Wonderland was reputedly the City's first film theatre while the Tivoli, a vaudeville theatre and motion picture house, was the first theatre to introduce sound movies in the late 1920s. Of the numerous theatres built in Hamilton during the early 20th century, the Tivoli counted among the seven largest and grandest, the most resplendent of which were the Capitol and the Palace. All but the Lyric (now the Century) and the Tivoli have been demolished; and of these two only the Tivoli Theatre has retained any part of its original interior decor.

Architectural Significance**Exterior**

Clearly intended to make a bold statement of Pronguey's entrepreneurial ambitions, the original carriage factory was designed by Hamilton architect Albert H. Hills in the popular Second Empire style. Characteristic of this style are the steeply-pitched mansard roof with dormers, the bracketted cornices, and rich classical detailing. Noteworthy features of the Tivoli facade include the round-arched windows with two-over-two sash windows and ornate moulded surrounds, the gabled dormer windows, and the tall mansard-roofed tower. This convex-shaped tower displays narrow, paired arched dormers surmounted by circular windows and a bracketted cornice, originally crowned by ornamental iron cresting.

The later Tivoli Theatre entrance originally featured an octagonal ticket office and an ornamental sign marquee, above which was a vertical "Tivoli" sign projecting at right angles to the street. Only the basic structure of the marquee, however, survived the major alterations made to the entrance in 1954.

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The Tivoli Theatre was greatly admired for its sumptuously decorated "Italian Renaissance" interior, designed by Toronto architect B. Kingston Hall. While a significant proportion of the original decor was removed or covered in the course of renovations undertaken in 1943, 1947 and 1954 (when the most extensive remodelling occurred), the main architectural features of the auditorium are still largely intact. These include the proscenium, the ceiling with its elliptical design, the decorative cornice and frieze below, and along each side wall: a colonnade comprising five round arches sprung from coupled pilasters. The two arches on either side of the stage still contain the original bronze statues of Caesar Augustus and the goddess Minerva. At the base of each of the other eight arches are medallions depicting the four seasons.

Designated Features

Important to the preservation of the Tivoli Theatre are:

1. the original architectural features of the front (west) and side (south) facades, including the upper-storey arched windows, moulded surrounds, bracketted cornice, and slate-covered mansard roof with its dormers and corner tower.
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THIS IS EXHIBIT "A" REFERRED TO IN THE
DECLARATION OF KEITH EDWIN
AVERY SWORN BEFORE ME THIS 2ND
DAY OF OCTOBER,
A.D., 1990.

S. J. Hollowell
A COMMISSIONER, ETC.

STANLEY GEORGE HOLLOWELL, a Commissioner, etc., Judicial District of Hamilton-Wentworth, for the Corporation of the City of Hamilton.
Expires April 1st, 1991



Hamilton
Entertainment
and Convention
Facilities Inc.

HECFI Marketing Sales
c/o Hamilton Convention Ce
115 King Street West
Second Floor
Hamilton, Ontario L8P 4T9
Tel. 416-523-5883

MEMO TO: THE HECFI MARKETING AND SALES COMMITTEE

FROM: Mr. Gabe Macaluso, Managing Director/CEO
Mr. Barry Snetsinger, Director of Marketing & Sales

DATE: 12 June 1991

SUBJECT: IMPACT OF THE TIVOLI THEATRE ON HAMILTON PLACE

RECOMMENDATION

1. THAT THE REPORT REGARDING THE IMPACT ON HAMILTON PLACE OF THE RESTORATION OF THE TIVOLI THEATRE BE RECEIVED BY THE MARKETING AND SALES COMMITTEE.
2. THAT THE REPORT BE FORWARDED TO HAMILTON CITY COUNCIL.

BACKGROUND

The Tivoli Theatre Foundation has submitted a grant request to the City of Hamilton for financial assistance to offset the costs of restoring the Tivoli Theatre. The theatre would then be made available for both non-profit and profit oriented performing theatre companies. The Grants Review Group expressed some concern as to the impact, if any, on Hamilton Place should this request be favourable.

As a result, at the City's Finance & Administration Committee meeting of April 4th, 1991 the following recommendation was approved:

"That the HECFI Board be requested to comment on the impact on Hamilton Place should the request from the Tivoli Theatre Foundation for funds to restore the Tivoli Theatre be successful, (such funds to be outside of the 1991 Current General Grant funds.)"

THE POSITION OF THE TIVOLI THEATRE FOUNDATION

1. The City of Hamilton and surrounding area is totally under-serviced from a performing arts point of view.
2. Most citizens have to travel to Toronto to see productions of major theatrical touring attractions.
3. With a seating capacity of 1,000 the Tivoli Theatre will comfortably serve as a major touring venue for compatible theatrical and concert productions.
4. Both the Hamilton Philharmonic Orchestra and Opera Hamilton will be invited to use the Tivoli Theatre on a regular basis.

ANALYSIS

The addition of another entertainment venue will foster and encourage the continued growth of the local arts community, create new full-time jobs, and boost the retail and tourism markets. While no one can disagree with the objective of saving and restoring one of Hamilton's last remaining cultural/historical properties our task is to comment on the specific impact that the project, in our opinion, could have on the on-going operation of Hamilton Place. It is in this context that the following is offered:

1. **"The City of Hamilton and surrounding area is totally under-serviced from a performing arts point of view."**

Staff would like access to the background data that supports this conclusion before any specific comment.

2. **"Most citizens have to travel to Toronto to see productions of major theatrical touring attractions."**

The reason that Hamiltonians must travel to Toronto to see productions of major theatrical touring attractions is a consequence of the territorial protection issue that directly affects us because of our proximity to Toronto. The Canadian rights for productions like "Cats", "Les Miserables", and "Phantom of The Opera" literally cost millions. In order to recoup the investment the rights-holder must first exhaust those markets with the highest gross potential before taking the production to a market like Hamilton. Markets outside the territorial boundaries, like Montreal, Ottawa and Winnipeg often get access to these productions before Hamilton, not because they pay more for the show but rather because they are well outside the Toronto trading area. The restoration of the Tivoli Theatre will have no impact on this issue.

3. "With a seating capacity of 1,000 the Tivoli Theatre will comfortably serve as a major touring venue for compatible theatrical and concert productions."

Increasingly promoters and producers are looking to share the risk of theatrical productions with the venue. As a consequence facilities, like Hamilton Place, must be prepared to enter into co-promotion arrangements if they hope to attract first-class shows. Most co-promotion joint ventures are relatively simple arrangements whereby profit is shared in the same proportion as capital is risked. However, the high cost of most touring shows demands a significant gross potential for payout to be realistic, and increasingly, even with over 2,000 seats, Hamilton Place often has trouble generating the kind of revenues that a joint venture demands. Moreover, with two theatres competing for major touring attractions it is possible that the population and economic base here in Hamilton may not be sufficient to sustain the longer runs, and high ticket price that these productions will demand.

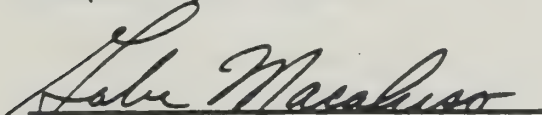
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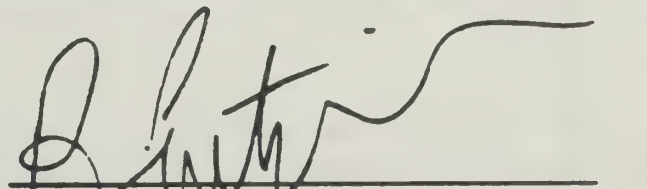
When the Tivoli comes on-line it will provide an opportunity for both the Hamilton Philharmonic and Opera Hamilton to have access to alternative professional space. This will in turn free-up dates in the Great Hall that can be sold to other promoters and producers.

CONCLUSION

While the restoration of the Tivoli Theatre will undoubtedly have an overall positive impact on the local performing arts community it can't help but have a direct and negative impact on Hamilton Place; it's availability will create more competition for both patron dollars in a market (ie. Niagara, golden horeshore, Toronto) already saturated with entertainment choices, and for promoters and producers who currently have a wide variety of venues to choose from in this area.

Respectfully submitted,


Gabe Macaluso
MANAGING DIRECTOR/CEO


Barry Snetinger
DIRECTOR OF MARKETING AND SALES

CORPORATE POLICY NUMBER 9

PAGE #1

PREPARED BY: Purchasing Division

ADOPTED BY COUNCIL
July, 1975

SUBJECT: **DISPOSAL OF SURPLUS GOODS**

THIS POLICY IS: New X Existing ____ Revised ____ Rescinded ____

Only the Purchasing Division shall dispose of declared surplus property in the most cost efficient and effective manner after approval has been received from the Chief Administrator Officer, provided that any useable equipment or material has been offered first to other user Regional Departments, secondly to Area Municipalities, and thirdly to public agencies within the Co-operative Purchasing Group. If there is still property to be disposed of it can be sold through sealed bids or public auction.

No employee or elected official shall bid on the sale of goods except those disposed of by public auction or sealed bids.

No employee of the City, working at the auction, shall bid for any such items.

POLICY MANUAL
INFORMATION:

Tab - Treasury Section - Purchasing
Subject - Disposal of Surplus Goods

PROCEDURES: Attached Page 75 Not Required _____
Included in (Manual Name) _____

CITY OF HAMILTON
- RECOMMENDATION -

10(b)

DATE: 1992 February 17

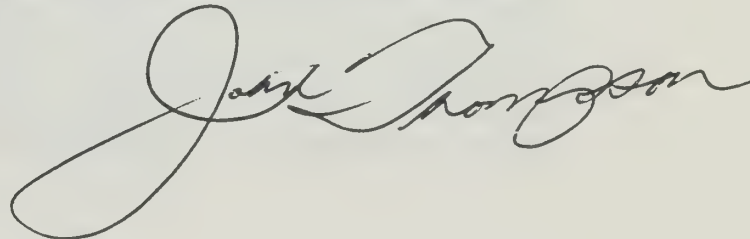
REPORT TO: Chairman and Members
Finance and Administration Committee

FROM: Mr. J. D. Thompson, Secretary
Finance and Administration Committee

SUBJECT: WE CARE KENNEL INC.

RECOMMENDATION:

That, based on the consensus of the Members of the Finance and Administration Committee at its meeting on 1992 February 06, the attached proposal of Ken Blacquiere, We Care Kennel Inc., be received and referred to the H.S.P.C.A. for information.



FINANCIAL/STAFFING/LEGAL IMPLICATIONS: N/A

BACKGROUND:

The subject proposal was presented to the Finance and Administration Committee by Mr. Blacquiere at its meeting 1992 February 06, at which time the Committee agreed to take the presentation under advisement.

We Care Kennel Inc.
163 Canada St.
Hamilton, Ontario
L8P 1P7

Sir or Madam;

This proposal is intended to serve as a brief introduction to our system of pet care and control. At the time of your commitment to the Humane society, we were not fully prepared to implement this program; as such, this might be deemed as a 'pilot project' for our company. We appreciate the commitment you have shown in supporting the pet care industry through your support of the Humane Society, and wish only to present an alternative, for closer scrutiny.

Without further consultation, we do not feel comfortable at this time in presenting financial data, or speculations as to the cost of such a system. Such matters, we feel, would require input from both sides, so that we might design a system of pet care tailored to your specific needs. We sincerely believe that our system of pet care cannot fail to meet the needs of the public, at a substantially reduced cost to taxpayers.

Sincerely,

Ken Blacquiere

Ken Blacquiere

We Care Kennel Inc.
163 Canada St.
Hamilton, Ontario
L8P 1P7

Statement of Purpose:

We Care Kennel Inc. was originally founded in 1990 in the province of Prince Edward Island for the breeding of high-quality working dogs for export to the United States. Through this early venture came the realization that pet-related concerns were costing municipalities, and tax-payers, more with each passing year. Existing pet-care and pet-control systems are based on a system of 'adoption': strays and lost animals will be looked after by the system itself until permanent homes can be found. Thus, the burden of responsibility is placed upon the pet-care industry itself, and not upon pet-owners, resulting in a heavy financial burden upon all taxpayers.

We now offer an alternative. We Care Kennel Inc. offers a system of responsible pet care and control. Through a form of pet 'ID', with records being kept on computer file, lost animals can quickly and easily be returned to their owners. Ultimately, costs for such care and control are the responsibility of the owner alone. With a decreased reliance upon tax-payers, a reduction in necessary tax-support will be realized.

The basis of this system is responsible pet care. Not only does an efficient form of pet identification allow pet-owners 'peace of mind', but it also ensures that owners are responsible and accountable for the welfare of their pet.

In a similar vein, we also offer our Peace of Mind plan, a long-term retirement plan for pets. For minimal cost to the owner, we will board and care for family pets, in spacious kennels. We have dubbed this as 'peace of mind', because of the nature of the service we provide: animals are looked after, fed, exercised six days a week, and essentially cared for as though they were our own, for as long as is desired by the pet owners. Animals aren't just 'boxed', but are cared for as the owners would desire. Our goal is pet care that meets the needs and desires of the pet owners, as dictated by the owners themselves.

Because of the our low user-rates, we insist, as part of this program, that excess money raised is redirected back into the community for other health-care issues, on behalf of the pet owners themselves. Our program is geared to working on behalf of the community for the community.

Where do we fit in??

According to Statistics Canada (1989), there are approximately 9.5 million households in Canada, caring for approximately 4.2 million pets; 1.5 million of these in Ontario alone. Pet care is, by necessity, of interest to a large portion of the community. There is, however, a sector of the community which is not directly interested in pet care, or pet-related issues.

The type of pet control most desirable to any community, then, is that system which provides adequate and desirable service to pet owners, without unduly taxing other members of that same community. Our insistence on responsible pet care seeks to meet the needs of pet owners, without placing undue pressure upon other segments of the population.

Existing systems of pet care rely heavily on adoption programs, thus resulting in the public expectation that injured or 'stray' animals will be cared for until a suitable home is found. In the case of animals who have been accidentally separated from their owners, this seems a humane, and ideal method of pet care. Many strays, however, are either lost through the negligence of their owners, or are deliberately abandoned. Not only is such treatment costly to municipalities, but it is unfair to both the animals and the pet care industry. Such problems include:

1. pets being run over on streets
2. pets being abandoned on sides of roads, sometimes with litter of puppies/kittens
3. pets being picked up in very unhealthy conditions
4. pets biting people while 'running at large'
5. pets running wild, killing or maiming livestock
6. pet causing property damage (flower beds, children's playgrounds)

We thus propose that the existing pet-care system seems to condone such irresponsible behaviour through its policy of adoption, where the bulk of responsibility is not upon pet owners to look after their pets, but rather upon the industry to look after pet-care for these owners. Furthermore, we firmly believe that the solution for such problems resides in shifting the onus of responsibility back upon the community, or more specifically, upon individual pet owners. Instead of municipalities being responsible for pets, pet owners should be responsible for their pets.

Method of Implementation:

Such difficulties cannot easily be corrected, since the industry is currently oriented towards a adoption-based system. We thus propose, as our goal, the eventual permanent identification of all pets within the community. This would enable pet-owners to be easily notified if their pet is picked up, as well as enable us to trace ownership of pets under other circumstances. With the implementation of this system, damages caused by pets could be ultimately traced back to pet owners, removing the burden of responsibility for such damages from the municipality. Furthermore, this would discourage the deliberate abandonment or ill-treatment of pets at the hands of pet-owners.

To meet this goal, then, we would propose an initial 'grace period' during which we would continue to operate under the existing methodology, in order to gradually introduce the public to our system of 'responsible' pet care. While this might seem an ambitious goal, it's implementation could be seen in a reasonably short period of time, with the assistance of existing pet-care specialists (veterinarians and breeders). With the assistance of such specialists in the identification process, and eventual public support, we would be able to make a smooth transition to the new system.

There are a number of possible solutions to the problem of permanent identification of pets. The Canadian Kennel Federation's system of identification via. tattooing, used by breeders, is an already well established system of animal identification which could easily be implemented among pets within the community. With the cooperation of the Department of Agriculture Canada, we could extend this form of licensing to include family pets as well. With the cooperation of the municipality, veterinarians and breeders, we could implement this system in a reasonably short period of time. With this type of system, identification of pets through a computer database would be a simple process.

How do we benefit the community?

Our plan of pet-care is designed, first and foremost, to benefit the community. We firmly believe that such a plan should meet the needs of the community in which it is located, at a minimal cost to the community. As such, we have attempted to tailor our system of pet-care around what we feel are existing problems for the community, as well as deficiencies in similar pet-care systems.

First, our system of pet identification is intended to reduce the costs of pet-care and pet-control to the taxpayer, but also to educate the public as to the responsibilities of pet-ownership. Through such a system, we believe we can reduce the incidence of pet abandonment, damages caused by pets to livestock, property and so on. Making individuals responsible for their pets is the key to reducing pet-care costs.

Our system of long-term boarding for pets fulfils a twofold purpose: first, it fills what we see as a need within the community for affordable long-term boarding (existing privately-run facilities already exist in other areas, but are quite expensive). Secondly, such a program offers an alternative to people who cannot find a 'new home' for a pet, thus discouraging abandonment of such pets. Again, owners are responsible for finding a home for their pets, and are no longer encouraged to abandon animals with the expectation that they will be looked after by the pet-care system.

This system of boarding is intended to be run at an extremely low profit-margin: boarding will be negotiated on a one-year contractual basis. In the event of the death of a pet, any remaining money from the contract will be directed into a charitable organization of the owner's choice, such as the United Way, Canadian Cancer Society, Hope Foundation for Abused Women, or any other charitable organization which directly benefits the pet-owner's community.

It seems as though the existing pet-care system has shifted it's focus away from the community in order to address larger issues of animal care and animal rights. We feel that such a position can only separate the community, and in no way addresses those smaller-scale issues that are relevant within the community. We feel that the time has come to shift the focus of pet-care back into the community, where it is needed the most.



11

JUNE 15, 16 '91 • JUNE 20, 21 '92 • JUNE 19, 20 '93

October 23, 1991

Mr. John Thompson
Secretary to the
Finance and Administration Committee
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

Dear Mr. Thompson:

Re: 1992 Civic Reception Sponsorship, \$9,000

On behalf of the Hamilton International Air Show I would like to thank the city for sponsoring our 1991 civic reception and look forward to your continued support for 1992.

We are asking that the Finance and Administration Committee give consideration to approving the cost of the civic reception of \$9,000.00 which is the same for 1991.

The civic reception is the cornerstone of our hosting program for our air crews, participants and volunteer staff.

Maintaining professional operations and hosting functions are very important in attracting a high level of military and civilian support necessary for a world famous event.

The air show provides fund raising opportunities for several service clubs and generates 3 million dollars into the local regional economy.

Thank you for your cooperation and we look forward to working closely with you.

Yours truly,

cc: Mayor Robert M. Morrow
Councillor Henry Merling
Ed Matthews, Treasurer
Kevin Christenson,
Legislative Assistant

Alexander L. Lutchin
General Manager

ACCOPRESS

25070	YELLOW/JAUNE	BY2507
25071	BLACK/NOIR	BG2507
25072	BLUE/BLEU	BU2507
25073	R. BLUE/BLEU R.	BB2507
25074	GREY/GRIS	BD2507
25075	GREEN/VERT	BP2507
25077	TANGERINE	BA2507
25078	RED/ROUGE	BF2507
25079	X. RED/ROUGE X.	BX2507

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